



November 25, 2025

Provincial Transportation Ltd.
Unit 238 - 8138 128th Street
Surrey, BC V3W 1R1

Prudential Transportation Ltd
Unit 238 - 8138 128th Street
Surrey, BC V3W 1R1

Commissioner's Decision

Provincial Transportation Ltd. (CTC Decision No 35/2025 and

Prudential Transportation Ltd. (CTC Decision No. 36/2025)

(Application for Reconsideration of CTC Decision No. 20/2025 and CTC Decision No. 21/2025)

I. Introduction

1. On August 21, 2025, the Office of the BC Container Trucking Commissioner ("OBCCTC") received an application from Provincial Transportation Ltd. ("Provincial") and Prudential Transportation Ltd. ("Prudential") (together, "the Companies") pursuant to section 38 of the *Container Trucking Act* ("Act") seeking, as I understand, reconsideration of July 31, 2025, Decision Notices (CTC Decision No. 20/2025) and (CTC Decision No. 21/2025). Provincial seeks a reconsideration of the \$4,500 administrative penalty imposed and Prudential seeks a reconsideration of the \$9,000 administrative penalty. In addition, Provincial and Prudential both seek an extension to the deadline to comply with certain orders made in Commissioner Decision (CTC Decision No. 20/2025) and Commissioner Decision (CTC Decision No. 21/2025).

II. Commissioner's Decisions and Decision Notices

2. On July 10, 2025, in [Provincial Transportation Ltd.](#) (CTC Decision No. 20/2025), ("Provincial Commissioner's Decision") I found that Provincial failed to maintain and provide payroll records and wage statements listing the deductions made in a pay period and the reasons for them in breach of Appendix D section (4)(f) of the CTS license, failed to pay a driver the PMR for two trips performed in May 2021 in breach of section 23 of the *Act*, and made improper deductions in breach of section 24 of the *Act* and Appendix E section (2) of the CTS licence when it deducted \$175.00 for an administrative fine from a driver's wages in May 2022 and \$1,000 from a driver's wages in December 2021.
3. I ordered Provincial to pay the monies owing by no later than August 10, 2025. I proposed an administrative penalty of \$4,500.

4. On July 10, 2025, in [Prudential Transportation Ltd.](#) (CTC Decision No. 21/2025) (“Prudential Commissioner’s Decision”), I found that Prudential failed to maintain and provide payroll records and wage statements listing the deductions made in a pay period and the reasons for them and also failed to provide the daily hour records for company drivers for December 2019, March and November 2020, May and December 2021 and March and April 2022 (“Missing Timesheets”) in breach of Appendix D section (4)(f) of the CTS license, failed to pay a driver the PMR for a trip performed in May 2021 and a trip performed in July 2023 and failed to pay the regulated rates to multiple IOs in March and November 2020 and July 2023 due to mathematical errors (\$884.15 total) in breach of section 23 of the *Act*. I also found Prudential had made improper deductions in breach of section 24 of the *Act* and Appendix E section 2 of the CTS licence when it deducted a total of \$2,367.81 for business costs, including multiple deductions from one driver to recover premiums paid to Worksafe BC.
5. I ordered Prudential to pay the monies owing by no later than August 10, 2025. I proposed an administrative penalty of \$9,000.
6. I further ordered the Companies to review their payroll records between November 1, 2019 and July 10, 2025 (excluding the months covered by the Audit Period) and make the appropriate adjustments around monies owing to drivers and to adjust wage statements and provide proof of having done so no later than September 1, 2025 (“Payroll Audit Orders”).
7. I considered the Companies’ responses to the Provincial and Prudential Commissioner’s Decisions and issued the \$4,500 and \$9,000 administrative penalties in the July 31, 2025 “Provincial Decision Notice” and the “Prudential Decision Notice” (collectively the “Decision Notices”). Payment of the administrative penalties was due within 30 days of the date of the Decision Notices.
8. The Commissioner’s Decisions and the Decision Notices were published on or around July 31, 2025.
9. On August 13, 2025, the Companies submitted evidence that each driver had been paid the amounts calculated in the Commissioner’s Decisions except for two drivers who are deceased.
10. The Companies have paid the administrative fines but not provided any evidence that they have complied with the Payroll Audit Orders and the deadline has passed.

III. Request for Reconsideration

11. The Companies do not seek reconsideration of the orders to pay the monies owing to drivers but do argue that the administrative penalties imposed are an “arbitrary exercise of discretion” and the deadline of September 1, 2025 to complete the review of payroll records between

November 2019 and July 10, 2025 is unreasonable. The Companies seek an extension until February 1, 2026 to comply with the Payroll Audit Orders.

Penalties are an Arbitrary Exercise of Discretion

12. The Companies argue that the incorrect assertion in the Commissioner's Decision that Prudential was previously issued a \$9,000 administrative fine "must have had some effect on the [\$9,000] penalty imposed" as the Commissioner expressly stated that it was one of the considerations for an escalating penalty at paragraph 54 of the Prudential Commissioner's Decision. The Companies state that the Commissioner's failure to reduce the escalating administrative penalty after acknowledging the error is an "unjustified and arbitrary exercise of discretion" and that the amount "must be reduced to account for the relevant factor that Prudential was actually never fined" in the 2017 decision.
13. The Companies argue that Commissioner's misstatement in the Prudential Commissioner's Decision should reduce the administrative penalty for Prudential to \$4,500. They further argue that the administrative penalty against Provincial should be reduced to \$2,250 since the Companies have the same owner.
14. The Companies further submit that the administrative penalties should be reduced because the effect of the penalties "goes beyond the immediate financial burden on the Companies." Specifically, because "the Commissioner takes into account past penalties and contraventions in making its decisions to issue licences and impose licence conditions, a failure to reduce the Commissioner's penalties . . . will have a significant impact on their business operations moving forward (including a future license application) and can result in escalating penalties (presumably higher than \$9,000) in the future."

Unreasonable Deadline

15. The Companies argue that the imposition of the September 1, 2025 deadline to complete the Payroll Audit Orders is unreasonable given the "significant amount of administrative work" and propose a staggered schedule ending February 1, 2026.

IV. Reconsideration

Penalties

16. I addressed the Companies' similar submissions made prior to the Decision Notices regarding my incorrect assertion that Prudential was previously issued a \$9,000 administrative penalty. The Companies did not dispute that Prudential previously committed a contravention of a similar nature and did not challenge the other reasons for the penalty set out in paragraphs 50-54. Upon reflection, I note that I erroneously identified that Prudential had a previous administrative penalty and it did not and this could reasonably be inferred to have factored into the administrative penalty. I will reduce the administrative penalty.

17. I am not persuaded to reduce the penalty against Provincial simply because an error occurred for Prudential given their shared ownership. In the Decision Notice, I set out separate reasons for issuing separate administrative penalties to each licensee. None of the reasons set out in paragraphs 50-53 of the Provincial Commissioner's Decision have been challenged and I do not accept that the administrative penalty of \$4,500 for failing to maintain and provide payroll records and wage statements, failing to pay a driver the regulated rates, and making improper deductions is arbitrary.
18. Finally, financial hardship and the impacts of administrative penalties on future licensing decisions are not generally considered when proposing penalties.

Deadline

19. At paragraph 15 of the Decision Notices, I set out my reasons for denying the Companies' request to extend the deadline to comply with the Payroll Audit Order until February 1, 2026. My primary concern remains that drivers are paid without delay and the absence of any ability under the *Act* to compensate drivers with interest for delayed wages makes it imperative that licensees correct any underpayments as soon as possible. I note that the Companies have had a significant portion of that time to comply with the Payroll Audit Orders and their submission does not include any supporting evidence or explanation of the "significant amount of administrative work" involved, or any steps that may have already been taken to comply with the Payroll Audit Orders issued on July 10, 2025. As a compromise between these competing considerations, I will extend the deadline to December 15, 2025.

V. Conclusion

20. For these reasons, I confirm my decision to impose a \$4,500 administrative penalty against Provincial. I will reduce the administrative penalty against Prudential to \$8,000 on the basis that I incorrectly stated that Provincial had been previously issued a \$9,000 penalty.
21. As Prudential has already paid the penalty originally imposed, \$1,000 will be repaid to Prudential pursuant to s. 35(4) of the *Act*.
22. With the exception of the above, I dismiss the Companies' application for reconsideration of the Decision Notices.

Dated at Vancouver, BC, this 25th day of November 2025.



Glen MacInnes
Commissioner