



April 8, 2026

Super Star Trucking Ltd.
104-8047 199 Street
Langley, BC V2Y 0E2

Supplemental Commissioner's Decision Super Star Trucking Ltd. (CTC Decision No. 04/2026)

Introduction

1. Super Star Trucking Ltd. ("Super Star") is a licensee within the meaning of the *Container Trucking Act* (the "Act"). Super Star currently has six company drivers.
2. iHaul Freight Ltd. ("iHaul") is not a licensee but is a Related Person of Super Star as defined in the legislation and the licence and as indicated by Super Star in its application for a licence.
3. This supplemental decision is the culmination of an audit of Super Star conducted following a complaint that a driver(s) at Super Star had received less than the regulated rates to perform container trucking services between May 1, 2023 and March 16, 2024, including not being paid the overtime rate introduced on May 1, 2023.
4. In a "Notice of Order against Super Star Trucking Ltd. to Comply with the *Container Trucking Act* and Container Trucking Services Licence" dated February 26, 2025, I ordered Super Star to provide the following information by March 11, 2025:
 - a. All payroll statements issued by Super Star or iHaul or any other Related Person and provided to truckers for June, July, November and December 2023, and
 - b. All timesheets created/received/issued by Super Star or iHaul or any other Related Person and provided truckers for June, July, November and December 2023.
5. In Super Star Trucking Ltd. (CTC Decision No. 10/2025) – Commissioner's Decision ("Original Decision"), I found that Super Star did not comply with the Order and was in breach of section 40 of the Act. In accordance with s. 34(2) of the Act, I proposed a \$15,000 administrative penalty and suspend Super Star's license until such time as it complied with the Order, or for six months, whichever was sooner. At paragraph 56 of the Original Decision, I noted that the proposed administrative penalty was for failure to comply with the Order and I would issue a Supplemental Decision regarding any other proposed administrative penalty for any other contraventions at a later date.
6. In Super Star Trucking Ltd. (CTC Decision No. 10/2025) – Decision Notice, I imposed the proposed administrative fine of \$15,000 and suspended Super Star's license effective April 22, 2025 until such time as it complied with the Order, or for six months, whichever was sooner.

7. In Super Star Trucking Ltd. (CTC Decision No 19/2025) – Reconsideration, I dismissed Super Star’s application for reconsideration of the administrative penalty and suspension.
8. Super Star paid the administrative fine and its suspension ended on October 22, 2025, after six months. Super Star did not comply with the Order. Super Star is currently performing container trucking services under its 2024 CTS license.
9. Super Star has been the subject of two previous decisions. In Super Star Trucking Ltd. (CTC No. 13/2016), Super Star was found to be non-compliant with the regulated rates. The Commissioner exercised his discretion and did not assess an administrative penalty. In Super Star Trucking Ltd. (CTC Decision No. 14/2023), I found that Super Star failed to provide the auditor with the daily hours worked by each driver as required under Appendix D to Schedule 1 of its CTS license and failed to maintain electronic payroll records in accordance with section 6.10 of its CTS license. An administrative fine of \$6,000.00 was imposed.

Audit Report

10. In paragraphs 8 - 24 of the Original Decision, I described the complaint and the findings of the auditor as set out in her audit report. For the purposes of this Supplemental Decision, I have summarized the auditor’s finding of monies owing to company drivers:
 - At paragraph 19, the auditor reviewed the Complainant’s payroll records between May 1, 2020 and March 16, 2024 and determined that he was owed \$15,661.55 in wages for that period as result of Super Star’s failure to pay the regulated minimum rates, including overtime.
 - At paragraph 21, the auditor reviewed Super Star’s payroll records (which I find were modified as set out below) and calculated that Super Star’s company drivers (including the Complainant) were owed the following for the two-month Audit Period (July and December 2023):

	Drivers
July 2023 incorrect hourly rate	\$2,866.64
December 2023 incorrect hourly rate	\$1,927.24
Missing overtime	\$198.00
Adjustments to net pay	\$605.86
Benefits deducted July 2023	\$777.01
Benefits deducted December 2023	\$993.84
Total	\$7,368.59

Licensee Response

11. At paragraphs 25 to 28 of the Original Decision, I set out the licensee’s response to the audit report.

Decision

12. At paragraphs 36 to 48 of the Original Decision, I concluded that Super Star had failed to demonstrate that it was not required to pay the regulated rate for all hours worked and had failed to provide a satisfactory explanation for the payroll deductions between May 1, 2020 and March 16, 2024 (in the case of the Complainant) and during the Audit Period.
13. At paragraph 42 of the Original Decision, I rejected Super Star's suggestion that it modified its payroll information for "tax purposes" largely because I did not believe that reporting all hours worked as \$29.00 per hour (\$43.50 for overtime) instead of the regulated rates would create any tax advantage. I infer from Super Star's decision to serve out the lengthy suspension instead of producing the records that it withheld the records because they would not have assisted with its claims that the drivers were paid the regulated rates for performing container trucking services. Likelier than not, Super Star paid its drivers less than the regulated rates and then "modified" its payroll records to suggest that it actually paid the regulated rate when in fact it did not.
14. The auditor has reviewed the wage statements provided by the Complainant between May 1, 2020 and March 16, 2024 and the payroll records that were provided by Super Star for all the company drivers in the Audit Period and determined that the drivers were paid less than the regulated rate when performing container trucking services and were subject to deductions that were not substantiated by the licensee. I note that the information Super Star provided to the auditor (total hours worked) is not consistent with the actual hours reported on the wage statements that Super Star gave to the Complainant for the same period and my obvious concern is that the records provided by Super Star to the other drivers have similar discrepancies. However, I accept the auditor's calculations, which were based on the materials provided by Super Star and the Complainant, as the best available evidence before me.
15. I find that Super Star was in breach of section 23 of the *Act* when it failed to pay the regulated rates to the Complainant between May 1, 2020 and March 16, 2024 and to its company drivers company drivers in the Audit Period.
16. Super Star did not provide the auditor with wage statements provided to the drivers to assist in verifying the hours the drivers worked and the rates they were paid. Without the Complainant's copies of his wage statements, Super Star may have been successful in its deception. Even when confronted with clear evidence of inconsistencies between Super Star's records and the Complainant's wage statements, Super Star maintained that it paid its drivers in accordance with the regulated rate. I find the only reasonable conclusion based on the evidence before me is that Super Star has been withholding the original wage statements to hide its underpayment of its drivers.
17. In the result and in accordance with section 9 of the *Act*, I hereby order that Super Star pay a total of \$23,030.14 (\$15,661.55+ \$7,368.59) as outlined in paragraphs 10 to be distributed between each driver in accordance with Appendix A to this decision.
18. The seriousness of the available penalties indicates the potential gravity of non-compliance with the *Act*. The *Act* is beneficial legislation intended to ensure that licensees pay their employees in compliance with the established rates. Licensees must comply with the legislation, as well as the

terms and conditions of their licences, and the Commissioner is tasked under the *Act* with investigating and enforcing compliance.

19. 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.
20. Proper record-keeping is essential to ensure a licensee is compliant. Improper record-keeping usually results in a penalty; a higher penalty is also warranted when a licensee intentionally provides falsified records. Super Star's production of "modified" records consumed a substantial amount of the OBCCTC's limited resources over a lengthy period of time to ensure drivers were correctly compensated. This, in turn, delayed the audits of other licensees, to the possible detriment of other drivers in the industry.
21. The legislative regime, including the available penalties under the *Act*, was introduced in order to prevent underpayments, including through the manipulation of records. Falsification of records to avoid paying the minimum rates has resulted in penalties ranging from administrative fines between \$40,000 in AMK Carrier Inc. (CTC Decision No. 03/2020) and \$100,000 in Quality Forest Products Ltd. (CTC Decision No. 08/2025) to termination of a license (later revised to \$500,000 administrative fine) in Gulzar Transport Inc. and Jet Speed Transport Ltd. (CTC Decision No. 12/2019).
22. Monetary penalties for falsification of records are based in part on the amount of money involved. In the case of AMK Carrier the amount was \$3,506. In the case of Quality Forest Products, the amount owed was \$56,637.65. In the cases of Gulzar and Jet Speed, where the breaches were protracted and the licensees owed over \$1 million, the administrative penalty was \$500,000.
23. The ability to impose large financial penalties, suspensions and cancellations demonstrate an intent to ensure that administrative penalties are not seen as merely a cost of doing business as set out in Pro West Trucking Ltd. (CTC Decision No 08/2023) – Decision Notice and Gulzar Transport Inc. and Jet Speed Transport Ltd. (CTC Decision No .02/2021) – Reconsideration. I adopt this analysis.
24. In this case, the amount known to be owing (\$23,030.14) at this time is relatively significant considering only one driver is involved for the majority of the months reviewed. While the amount owing is not at as high as for QFP and Gulzar and Jet Speed, the licensee's deceptive and

obstructionist practices are similar to those in the QFP and Gulzar decisions above. I also note that Super Star has previously been found in breach of record-keeping and wage rate requirements.

25. When there is a finding of underpayments of the regulated rates in an Audit Period that likely occurred in pay periods that were not captured by the Audit Period, my general practice is to order the licensee to review its payroll records to ensure that they have paid the regulated rates in other pay periods, correct any under compensation, and provide confirmation to the auditor when complete.¹
26. Super Star's recent refusal to produce records and instead serve a six-month suspension also results in a situation where I cannot accurately determine the amount of money still owing. At paragraph 13 of Super Star Trucking Ltd. (CTC Decision No 19/2025) – Reconsideration, I found that Super Star did not provide any explanation as to why it had failed to provide the unmodified records. I conclude that Super Star's refusal was the result of a cost benefit analysis on its part.
27. Given that Super Star likely underpaid its company drivers in other pay periods outside the Audit Period (even based on its modified records), such an order would in other circumstances be appropriate. However, Super Star would have to provide the original (unmodified) wage statements for those other pay periods to confirm the proper rates were paid. I am reasonably concerned that the unmodified wage statements will not be produced and the amounts owing will be based on the "modified" statements Super Star is prepared to provide. I find that a suspension period is appropriate to incentivize compliance to produce the required documents outside the audit period.
28. The regulatory regime, including the available penalties under the *Act*, was introduced in order to prevent these very actions. I have concluded that Super Star should receive an administrative penalty of \$110,000. I have also concluded that Super Star serve a suspension until such time as it produces the required payroll records to determine any additional monies owing outside the Audit Period or until November 30, 2026², whichever is sooner.
29. This penalty is an escalating one, recognizing that Super Star has already served a suspension of six months. It also serves as a more general deterrent purpose by discouraging other licensees from engaging in non-compliant behaviour and conducting a cost benefit analysis approach to compliance and thereby protects drivers more generally.
30. In the result and in accordance with sections 9 and 34(2) of the *Act*, I hereby give notice that:
 - a) I order Super Star pay the drivers a total of \$23,030.14 as set out in Appendix A within 15 days of this decision; and

¹ See Provincial Transportation Ltd. (CTC Decision No. 20/2025) – Commissioner Decision and Gantry Trucking Ltd. and TSD Holding Inc. (CTC Decision No. 11/2025) – Commissioner Decision

² The end of the current licence term.

- b) I order Super Star to provide the auditor with payroll records³ (including unmodified wage statements) for the period of February 1, 2023 to January 31, 2024⁴ (excluding July and December 2023) within 15 days of this decision; and
 - c) I propose an administrative fine against Super Star in the amount of \$110,000; and
 - d) I propose a suspension of Super Star's CTS license to be served three days after the date of the decision notice for such time as it complies with the order set out in paragraph 30 b) or until November 30, 2026, whichever is sooner.
31. Should it wish to do so, Super Star 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.
32. If Super Star provides a written response in accordance with the above, I will consider its response and I will provide notice to Super Star of my decision to either:
- a. Refrain from imposing any or all of the proposed penalties; or
 - b. Impose any or all of the proposed penalties.
33. This decision will be delivered to Super Star and will be published on the OBCCTC's website after Super Star's response period has closed (www.obcctc.ca).

Dated at Vancouver, B.C., this 8th day of April 2026.



Glen MacInnes
Commissioner

³ The same payroll records identified in the third paragraph of the February 8, 2024 auditor request letter

⁴ This was the audit scope period identified in the current audit.

Appendix A

██████████	\$ 1,200.03
██████████	\$ 1,271.09
██████████	\$ 81.93
██████████	\$ 468.55
██████████	\$ 1,337.50
██████████	\$ 36.57
██████████	\$ 833.20
██████████	\$ 16,543.66
██████████	\$ 987.54
██████████	\$ 2.19
██████████	\$ 267.89
Total	\$ 23,030.14