



May 26, 2026

Triangle Transportation Ltd.
8380 River Road
Delta, BC V4G 1G7

Triangle Transportation Ltd. (CTC Decision No. 06/2026) – Decision Notice

Introduction

1. In [Triangle Transportation Ltd.](#) (CTC Decision No. 06/2026) (“Decision”), I found that Triangle Transportation Ltd. (“Triangle”) was in breach of section 40 of the *Container Trucking Act* (“Act”) when it failed to pay one driver \$64.98 for work performed in June 2023 by the November 27, 2024 deadline imposed in [Triangle Transportation Ltd.](#) (CTC Decision No. 15/2024). I proposed an administrative penalty of \$1,000.00
2. Consistent with s. 34(2) of the *Act*, Triangle was given seven (7) days to provide written response setting out why the proposed penalties should not be imposed.
3. On April 23, 2026, Triangle provided a submission in response to the Decision.
4. I have considered Triangle’s response to the Decision and provide the following Decision Notice.

Triangle’s Response

5. Triangle asked that the proposed penalty not be imposed.
6. Triangle argues that the proposed penalty is disproportionate to the amount of money owing to the driver and unjustified based on the immediate steps it took to ensure the driver was paid \$64.98 upon being notified “based on the audit findings” on July 11, 2025.
7. Triangle details the steps it says it took on and after July 11, 2025 to contact and deliver the cheque to the driver:

July 11, 2025: Based on audit findings, cheque #2921 dated July 11, 2025 in the amount of \$66.47 was issued to [The Driver].

July – December 2025: As [The Driver] was no longer employed with Triangle Transportation, multiple attempts were made to contact him to arrange pickup of the cheque.

After repeated unsuccessful attempts, the cheque was mailed to his last known address.

December 19, 2025: Following communication from the auditor, we were informed that cheque #2921 had not been cashed. We were instructed to reissue the payment.

December 22, 2025: In full compliance with the auditor's direction, a replacement cheque (#1026) dated December 22, 2025 for \$66.47 was issued.

Late December 2025 – Early January 2026: Both the auditor and Triangle Transportation made several attempts to contact [The Driver] without success.

It was later communicated that [The Driver] preferred to pick up the cheque in person and did not want it mailed.

January 6, 2026: As the cheque remained uncollected, Triangle Transportation proposed sending the cheque to the auditor's office to facilitate easier access.

January 9, 2026: [The Driver] advised that he would attend the office to pick up the cheque; however, he did not arrive as stated.

All communication attempts, including screenshots of correspondence with [The Driver], were shared with the auditor for full transparency and documentation.

On the same day, we were instructed to release the cheque to another driver for delivery.

January 9, 2026: Cheque #1026 was handed over to [another Driver] for delivery.

January 12, 2026: The cheque was successfully delivered to [The Driver].

8. Triangle argues that “at no point was there any intention by Triangle Transportation to delay payment or prolong the resolution of this matter. On the contrary, all actions were taken in a timely and cooperative manner in accordance with instructions provided.”

Consideration of Licensee's Response

9. I do not agree that all Triangle's actions in this case were timely. At paragraph 12 of the Decision, I found that Triangle was in breach of section 40 of the Act when it failed to pay the driver the amount owing (\$64.98) by November 27, 2024 as ordered. At paragraph 16 of the Decision, I found that Triangle delayed paying the driver for more than two years after the wages were originally owed (June 2023). After failing to pay by the deadline ordered (November 27, 2024) Triangle did not make any further efforts until the auditor sought confirmation of payment on July 11, 2025. Triangle's submission does not expand on the “human error” that led to the delay or address why a penalty

should not be imposed because of its failure to comply with the deadline in the order.

10. Regarding its efforts to pay the driver on and after July 11, 2025, I addressed Triangle's attempts at paragraphs 8, 9, and 12 of the Decision and I accepted that Triangle then took sufficient steps to ultimately pay the driver. At paragraph 18, I acknowledged that Triangle did not hinder the auditor's ability to ensure the driver was paid. I am not persuaded that its efforts on or after July 11, 2025 nullify the need for penalty. However, Triangle's evidence that the driver has not actually cashed the cheque appears to be consistent with its evidence that the driver did not appear particularly motivated to receive or cash the cheque. The fact remains that Triangle did not pay the driver the money owed by the November 27, 2025 deadline as ordered but the delay in the payment (and any adverse impact caused by the inability to award interest under the *Act*) after July 11, 2025 does not appear to be solely the licensee's fault.
11. Finally, at paragraphs 16 and 18 of the Decision, I considered that the amount owing was small but again weighed that against the delay in payment arising from Triangle's failure to comply with the November 27, 2025 deadline. I am not persuaded by Triangle's submission that the relatively small amount owing to the driver excuses Triangle's failure to comply with the order but I am persuaded that the licensee should not be held entirely responsible for the delay after July 11, 2025 due to the driver's failure to take steps to receive and cash the cheque. Accordingly, I will impose a lesser penalty than proposed.

Conclusion

12. I am not persuaded to reduce or refrain from imposing the proposed administrative penalty. Having carefully considered Triangle's submission, and for the reasons set out here and in the Commissioner's Decision, I order Triangle to pay an administrative fine of \$800.00.
13. Section 35(2) of the *Act* requires this fine to be paid within 30 days of the issuance of this Decision Notice. Payment should be made by delivering to the Office of the BC Container Trucking Commissioner a cheque in the amount of \$800.00 payable to the Minister of Finance.
14. Triangle may request a reconsideration by filing a Notice of Reconsideration with the Commissioner not more than 30 days after its 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; and

f) signed by the applicant or the applicant's counsel.

15. Despite the filing of a Notice of Reconsideration, but subject to section 39(2) of the *Act*, the above order remains in effect until the reconsideration application is determined.

16. This Decision Notice along with the Commissioner's Decision will be published on the OBCCTC's website (www.obcctc.ca).

Dated at Vancouver, B.C. this 26th day of May 2026.

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