November 3, 2026

Gulzar Transport Inc.
6278 125A Street
Surrey, BC V3X 3M9

Commissioner's Decision
Gulzar Transport Inc. (CTC Decision No. 11/2026)

Introduction

1. Gulzar Transport Inc. ("Gulzar") is a licensee within the meaning of the *Container Trucking Act* (the "*Act*").

2. Section 16(1)(b) of the *Act* states that a licensee must carry out prescribed container trucking services in the Lower Mainland in compliance with:

   (i) this Act and the regulations,
   (ii) the license, and
   (iii) if applicable, an order issued to the person under the Act.

3. Section 25 of the *Act* and the CTS licence impose certain record-keeping obligations on licensees.

4. Sections 6.7 of the 2024 CTS licence ("CTS licence") states:

   > The licensee must ensure that all trucks engaged in Container Trucking Services are equipped with an electronic device or technology that records the number of hours of Container Trucking Services and/or Container Trucking Services trips performed.

5. Section 6.9 of the 2024 CTS licence states:

   > The Licensee must retain and make available to the OBCCTC upon request, all data generated by the electronic device in all trucks engaged in Container Trucking Services for the Licensee for four (4) years after the date the data is collected.

6. Appendix D section (B)(1)(f)(ii)(p) of the CTS licence requires a licensee to keep, and provide upon request, records of the hours worked and trips completed by a Trucker performing container trucking services on behalf of the licensee.

7. Section 6.21 of the 2024 CTS licence states:

   > The Licensee must comply with the terms of the Sponsorship Agreement attached at Schedule 2.

8. Section 9 of the Sponsorship Agreement states that the sponsored independent operator ("IO") will

perform container trucking services a majority of the time.

9. Appendix D (B)(1)(f)(ii)(p) to Schedule 1 of the CTS licence requires a licensee to keep and provide upon request records of the hours worked and trips completed by a Trucker performing container trucking services on behalf of the licensee.

10. Section 6.23 of the 2024 CTS licence requires the licensee to take all reasonable steps to ensure that every Trucker conducting Container Trucking Services on its behalf complies with all the Conditions of Licence.

11. Gulzar has been the subject of three other Commissioner's decisions. In Gulzar Transport Inc. (CTC Decision No. 5/2016), the Commissioner found that Gulzar had failed to pay the minimum regulated rates between April 3, 2014 and May 31, 2015 and owed $121,517.27 in wages to 37 drivers. As Gulzar promptly rectified this, the Commissioner exercised his discretion not to issue a penalty.

12. In Gulzar Transport Inc. and Jet Speed Transport Ltd. (CTC Decision No. 02/2021) (Reconsideration of CTC Decision No 12/2019), the Commissioner found that Gulzar and Jet Speed Transport Ltd. ("Jet Speed"), another licensee and Related Person of Gulzar, misclassified IOs as company drivers and engaged in a deliberate deception to cover up an estimated $1,159,379.49 in wages owed to its drivers. Before the judicial review of the Commissioner's decision to cancel Gulzar and Jet Speed's licenses was decided the cancellation became moot because the term of the license had expired. The Commissioner agreed to reconsider the penalty and imposed a $500,000 administrative fine.

13. In Gulzar Transport Inc. (CTC Decision No. 30/2025), I determined that Gulzar was in breach of section 24(2) of the *Container Trucking Regulation ("Regulation")* when it failed to pay its IOs within 30 days of the end of the month in which the IO performed the container trucking services for which the remuneration was owed in March, April, May and June 2025. An administrative penalty of $6,000 was imposed.

14. On December 4, 2025, the Office of the BC Container Trucking Commissioner ("OBCCTC") received a complaint that Gulzar had engaged eight Indirectly Employed Operators ("IEO") to operate trucks owned and operated by IOs in order to maximize the use of each tagged truck. Gulzar had 14 IOs who reported an IEO in their Sponsorship Agreement.

Audit Report

15. On December 15, 2025, the OBCCTC initiated an audit and requested payroll records for all IOs and IEOs who performed container trucking services in October 2025 ("Audit Period"). Gulzar provided the required information by the deadline.

16. On April 7, 2026, the OBCCTC requested copies of electronic records of the number of hours worked by each IO to compare against the number of hours worked by each IEO in the Audit Period. On the same day, Gulzar advised that they do not track the IOs' hours of work because they are paid by the trip.

17. Without the hours worked by each IO, the auditor compared the container trucking services activity of

each IO against those of their IEO by reviewing the number of trips and days each driver worked in the Audit Period as follows:

Unit	IO	Total IO Trips	Total IO Days	Total IEO trips	Total IEO days
565	Pavittar Bhullar	71.00	18.00	94.00	21.00
1002	Jagdev Singh Dhillon	58.00	14.00	105.00	22.00
1011	Kamaldeep Singh Dhillon	63.00	18.00	69.00	19.00
1012	Lakhbir Singh Dhesi	58.00	19.00	92.00	23.00
1015	Billu Singh Uppal	41.00	12.00	23.00	5.00
1017	Avtar Singh Mann	40.00	12.00	62.00	18.00
1020	Lakhvir Singh Athwal	14.00	5.00	27.00	9.00
1023	Ricky Sharma	0.00	0.00	58.00	14.00
1028	Harwinder Singh Sodhi	0.00	0.00	61.00	19.00
1032	Gurminder Singh	31.00	11.00	70.00	20.00
1038	Rupinder Paul Singh Khaira	35.00	12.00	62.00	18.00
1048	Harpal Singh Sidhu	0.00	0.00	70.00	19.00
1057	Parmjit Singh Farwaha	13.00	4.00	63.00	16.00
1063	Samandeep Dhillon	47.00	12.00	16.00	5.00

18. Based on the comparison of the trips performed and days worked by each IO and their IEO, the auditor determined that seven of the eight IOs identified by the complainant completed fewer trips and worked fewer days than their IEOs in the Audit Period. A total of 12 of the 14 IOs worked less than their IEOs in the Audit Period.

19. On May 13, 2026, the auditor prepared an Investigation Report based on her review of the Audit Period concluding as follows:

    a. Gulzar failed to maintain and provide the hours of work for each IO during the Audit Period pursuant to section 6.7 of the CTS licence and Appendix D(B)(1) of the CTS licence

    b. Gulzar's IOs worked less than their IEOs during the Audit Period in contravention of Section 9 to Schedule 2 (Sponsorship Agreement) of the CTS licence

20. A copy of the Investigation Report was provided to Gulzar on June 26, 2026 and Gulzar was provided with an opportunity to respond no later than July 27, 2026. Gulzar provided a submission by the deadline.

Licensee Response

21. Gulzar says that it did not understand that the auditor was seeking payroll records indicating the hours worked. It says that it now understands that auditor was seeking electronic records related to section 6.7 of the CTS licence and has provided the hours each IO worked during the Audit Period.

22. Gulzar does not dispute that certain IOs did not perform container trucking services for a majority of the time during the Audit Period and accepts the findings of the Investigation Report. It says that it has now taken the "appropriate steps to ensure that all sponsored IOs understand and comply with this requirement going forward."

Decision

23. Section 25 of the *Act* requires licensees to prepare and keep records as required by the Commissioner. Appendix D (B)(1)(f)(ii)(p) to Schedule 1 of the CTS licence requires licensees to maintain – and provide upon request -- a record of hours worked by all truckers, including IOs. Gulzar eventually provided the requested records it maintained in accordance with section 6.7 and I am satisfied that Gulzar maintained the hours worked by the IOs in accordance with the CTS licence. Licensees are reminded that they are required to keep records of the hours worked by each IO regardless of how the IOs are compensated.

24. Gulzar does not dispute the breaches of section 9 of the Sponsorship Agreement. Accordingly, I find that Gulzar was in breach of section 6.21 of the CTS licence when 12 IOs performed less than a majority of the container trucking services during the Audit Period.

25. 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 company drivers and IOs in compliance with the established rates and timelines. 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.

26. 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.

27. Compliance with section 9 of the Sponsorship Agreement is important. The genesis of this section 9 of the Sponsorship Agreement was extensively discussed in the 2024 CTS Licence Reform reports.[1] The *Act* was established to ensure that truckers receive fair compensation for performing regulated container trucking services – not to ensure that IOs receive the regulated rates while IEOs perform the majority of the work. IOs are not licensees. The requirement that IOs work a majority of the time ensures they are compensated for their work – not for simply owning a truck. IEOs are meant to serve as relief drivers, not to replace the IO.

28. I also note another problem with using IEOs a majority (or all) of the time. With the introduction of the

[1] 2024 CTS Licence Reform Proposed Changes (January 2024), page 8; 2024 CTS Licence Reform Consultation Report (May 2024), page 12.

Act, IOs no longer hold licences and no longer contract directly with customers to move containers to the marine terminals. IOs can still participate in the regulated industry but they must be "sponsored" by a licensee and move the licensee's customers' containers. IOs permitting an IEO to operate their truck a majority of the time are essentially *de facto* licensees and the IO tags are *de facto* company tags.

29. Additionally, the practice is inconsistent with the definition of "independent operator" in section 1 of the *Regulation* which defines as IO as a person "who performs container trucking services." It is also inconsistent with section 2, which exempts IOs, who "perform" container trucking services on behalf of a licensee, from needing a CTS licence. Lastly, such a practice denies other IOs an opportunity to earn wages in the regulated drayage sector because one of the limited numbers of IO tags is being used by an IEO instead of an IO.

30. IEOs are employees of IOs and the IOs are therefore responsible to determine when and how IEOs are used. The payroll records submitted by Gulzar confirm paid the IOs the trip rates when the IEO was working and that each IO paid their IEO directly and issued each driver a wage statement listing the IO as the employer. As a holder of a CTS licence, Gulzar is responsible for knowing its obligations under the *Act* and the CTS licence and it is incumbent on the licensee – and also the IO – that the IO perform a majority of the container trucking services work or risk the Sponsorship Agreement being terminated.

31. I have decided that an administrative penalty of $2,000.00 is appropriate. I am also mindful that Gulzar was not clearly enriched and the IOs were not clearly harmed. The penalty should remind Gulzar and all other licensees that licensees must ensure that IOs are working a majority of the time.

32. In the result and in accordance with section 34(2) of the *Act*, I hereby give notice that I propose an administrative fine against Gulzar in the amount of $2,000.00.

33. Gulzar has 7 days from the receipt of this notice to provide the Commissioner with a written response setting out why the proposed penalty should not be imposed.

34. If Gulzar provides a written response in accordance with the above, I will consider that response and I will provide notice to 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.

35. This decision will be delivered to Gulzar and will be published on the OBCCTC's website after the Decision Notices are issued (www.obcctc.ca).

Dated at Vancouver, B.C. this 3rd day of November 2026.



Glen MacInnes
Commissioner