Container Trucking Joint Action Plan – Progress Update

Status of the Joint Action Plan

- The Joint Action Plan has 15 action items. To date, all items have been completed or are nearing completion including:
  - Port Metro Vancouver has rescinded licence suspensions, dismissed legal action and agreed not to commence any further action against drivers.
  - The provincial government has introduced legislation that will apply rates to the movement of marine containers in and out of Port Metro Vancouver as well as those outside the port. The rates will include union and non-union company employees as well as owner operators.
  - The fuel surcharge multiplier has been amended from 1% to 2% which results in a 14% fuel surcharge. The fuel surcharge is being paid to non-union owner operator drivers and enforced through increased and regular provincial audits. Once provincial regulations are in place, the surcharge will apply to all port-licensed trucks.
  - With its planned regulations, the Province of British Columbia will strengthen the scope of the audit function so that all trucking companies registered in the trucking licensing system for local drayage are subject to regular audits conducted in a transparent manner and penalties for rate violators are severe and include financial penalties, cancellation of licenses for companies and individual drivers.
  - Port Metro Vancouver and the province have implemented a whistleblower program.
  - Port Metro Vancouver has held consultations and announced details of the new Truck Licensing System for trucks accessing port property. As per the joint action plan, the new system will include:
    - Greater accountability on trucking companies to comply with rate and employment agreements, including a requirement to post a compliance bond;
    - Licence charges on trucking companies which will be used to fund the modified licensing system and enhanced compliance regime (on a cost recovery basis) as well as contributions to GPS and optimization technology;
    - Implementation of a damage deposit for trucking companies;
    - Control over the total number of licensed trucks to avoid a surplus and support the goals of this action.
  - Terminals at Port Metro Vancouver have extended hours of operations.
The Terminal Gate Compliance Fee has been waived when excessive delays are encountered at a terminal.

The Government of Canada and Port Metro Vancouver have completed the installation of GPS units on all container trucks permitted to access the port.

The enhanced common reservation system is in development for implementation in 2015.

Wait time fees are being paid to drivers remunerated on a per-trip basis.

A steering committee is in place and meeting regularly.

Vince Ready has issued recommendations on all points in this action plan.

Details of progress to date

Management and implementation

- The steering committee responsible for implementing the Joint Action Plan has been meeting weekly since the spring of 2014. In addition, related working committees continue to meet. The members of the steering committee are:
  - Transport Canada
  - B.C. Ministry of Transportation and Infrastructure
  - Port Metro Vancouver
  - Marine terminals
  - Driver representatives (Unifor, United Truckers Association, Teamsters)
  - Dockworker Representatives (ILWU)

- Vince Ready and Corrin Bell released their final report on October 15, 2014. This was a follow-up to recommendations released on May 20, 2014.

- The federal and provincial governments issued a joint news release on October 15, 2014 announcing new legislation and next steps related to container trucking in B.C., including plans to reform the port Truck Licensing System.

- The provincial government has proposed new legislation and regulations, including the appointment of a trucking commissioner to oversee the labour aspects of port-related trucking operations. Details are expected in December 2014.

Port operations and licensing

- Truckers are currently serving the port and container movements are normal. There are no ongoing license or permit suspensions related to last spring’s service disruption.

- A staffed call centre has been set up to respond directly to questions from drivers and trucking companies to assist with truck licensing and permit requirements.
• On **October 15, 2014**, Port Metro Vancouver announced plans to reform its Truck Licensing System.

• Port Metro Vancouver has completed the second and final round of consultation meetings to finalize details of the new Truck Licensing System. Many meetings have been held with representatives of trucking companies, driver unions and associations (Unifor, Teamsters and United Trucking Association), terminal operators and importers and exporters.

• Port Metro Vancouver’s *Input Consideration Memo* was released on December 1, 2014, that focused on the key elements of the new TLS policy framework.

• The final details of the new licensing system were announced in **December 2014** and it is expected to come into force in February 2015.

• The goals of the new licensing system are to improve service quality, efficiency, safety and operating standards, bring stability to the marketplace, address environmental issues, and increase understanding, accountability and transparency.

• Until a new system is in place, the existing system remains in effect and expiring licenses and permits can be renewed. Drivers needing to renew their permits can contact Port Metro Vancouver at 604.665.9333 or **TLS@portmetrovancouver.com**.

• Trucking companies continue to be required to pay trip rates and fuel surcharges introduced by the federal government through Transport Canada in April 2014. Trip rates for independent, non-unionized drivers were at that time increased by 12%.

**Enforcement**

• A whistleblower program is in place and, since its introduction in June 2014, most calls have been forwarded to the B.C. Ministry Container Truck Dispute Resolution Office.

• The provincial government continues to audit companies reported for non-compliance with existing regulations. Investigations and audits that have been completed have found that all companies audited have been found to be in substantial compliance with required compensation rates.

**Wait Times**

• Terminals are required to pay trucking companies when drivers are forced to wait beyond their scheduled time.

• All 2,000 Port Metro Vancouver-licensed trucks are now outfitted with GPS transponders, which allow for accurate tracking of wait times and facilitate wait time payments.
Extended gates

- Three container terminals (Centerm, Deltaport and Vanterm) have implemented night gates (extended hours), five days per week effective July 1, 2014.

Reservations

- The Government of Canada announced plans to contribute $3 million to fund development of a common reservation system for all four container terminals at Port Metro Vancouver. The system will reduce trucker wait times by using new technologies to better link operations across Port Metro Vancouver’s four marine container terminals.
- A framework for the common reservation system has been developed through consultation with stakeholders. Development of the system is currently underway.

Background Information

In February 2014, a group of unionized and non-unionized container truckers stopped serving Port Metro Vancouver over issues including compensation and wait times at port terminals.

On March 26, 2014, the provincial and federal governments, which are collectively responsible for all local container movements by truck, agreed with truckers to a 15-point Joint Action Plan to improve working conditions and fix problems that have plagued the industry for many years. Some of the actions in the plan are the responsibility of Port Metro Vancouver.

Implementing the plan has been very complicated because there are many stakeholders with competing interests. Responsibility for the plan is led by Transport Canada and shared with the provincial Ministry of Transportation and Infrastructure, Port Metro Vancouver and trucking stakeholders including container terminal operating companies, shippers, trucking companies and truck drivers.

The container trucking sector is complex and characterized by instability, not only in B.C. but in ports across North America. In 2007, an independent review panel described B.C. container trucking as a failed market. Modest regulation in the sector has been unsuccessful, and effective change will require the cooperation and patience of all stakeholders.

More Information

For more information or any questions about the Joint Action Plan, contact Transport Canada at mailto:at jointactionplan@tc.gc.ca.jointactionplan@tc.gc.ca.

For information on the Truck Licensing System, contact 604.665.9333 or mailto:TLS@portmetrovancouver.com.

For media inquiries, contact John Parker-Jervis at john.parker-jervis@portmetrovancouver.com or 604-665-9267.