

Joint Action Plan – Trucker Work Stoppage at Port Metro Vancouver

In recognition of the concerns voiced by container truck owner/operators, the work stoppage that has gone on for two weeks and the resulting severe impacts on the national economy, the Government of Canada, the Province of British Columbia and Port Metro Vancouver have collectively agreed to an action plan and expect an immediate and full return to work. Those who choose to continue this work stoppage will jeopardize their opportunity to provide drayage services at Port Metro Vancouver in the future.

1. Upon resumption of normal trucking operations, Port Metro Vancouver will rescind licence suspensions not related to criminal activity and will commit to terminating legal actions not related to criminal activity at the expiry of the injunction.
2. The Government of Canada commits to adjust the regulated trip rates within one month by 10%. In addition, Canada will expedite its 2014 Regulatory Framework Review which will assess the current wage and fuel surcharge rates and implement the results by mid 2015.
3. The Province of British Columbia commits to engage unions and their certified employer companies on the importance of achieving renewal collective agreements and will ensure access to mediation if both parties agree to its use.
4. As per the current federal regulation, upon return to work the fuel surcharge must be paid to drivers and this will be enforced through increased provincial audits.
5. The Province of British Columbia and Port Metro Vancouver will work together to determine an appropriate mechanism to bring off-dock trips into full alignment with the rate regulation, with a target for implementation by June 15, 2014.
6. 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 will be subject to audit and in a transparent manner. The scope of the audit program will be expanded to include union and non-union drivers and “off dock” movements. The province and Port Metro Vancouver will work with the industry to define the parameters of the audit program, with a target for full implementation by June 15, 2014.
7. Whistleblower Mechanism: Port Metro Vancouver and the province will work together to provide a mechanism for the reporting of concerns related to compliance with trucking licensing system requirements (including compensation provisions) or incidents of intimidation or harassment related to container drayage activity. The new mechanism will allow for direct input to the provincially delivered audit program and will be in place by June 15, 2014.

8. Port Metro Vancouver will begin a consultation period with trucking industry stakeholders on the restructuring of the trucking licensing system with the intent to implement initial reforms by June 15, 2014. The goal of the new system is to create a more stable trucking industry and its contemplated initial steps will include:
 - Greater accountability on trucking companies to comply with rate and employment agreements
 - 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 security deposit or bonding program for trucking companies
 - Control over the total number of licensed trucks to avoid a surplus and support the goals of this action plan
9. Terminals and Port Metro Vancouver will announce, for rapid implementation, an extended hours pilot project by March 31, 2014 that will be responsive to volume forecasts. Key elements of the pilot project are:
 - Shippers will have the ability to nominate which terminals would have extended hours on which days informed by Port Metro Vancouver forecasts
 - There will be a forum for consultation on the proposed schedule which will include Port Metro Vancouver shippers and terminals
 - Below a threshold (proposed: 60%) terminals will be entitled to compensation for unrecovered costs
 - A risk / cost sharing formula will be developed and implemented by Port Metro Vancouver in consultation with shippers and terminals
 - Compensation will be tied to terminal performance during extended hours
10. Immediately, the Terminal Gate Compliance Fee will be waived when excessive delays are encountered at a terminal.
11. The Government of Canada and Port Metro Vancouver will expedite the roll out of the next phase of the GPS project to outfit the balance of the trucking fleet with GPS technology. To be completed between May and September 2014.
12. Port Metro Vancouver in consultation with terminals and trucking stakeholders, will implement an enhanced common reservation system by January 2015 to address concerns related to the current reservation system.
13. Port Metro Vancouver will establish a mechanism for directing the Terminal Gate Efficiency Fee to the trucking companies who will be required to pass the fee on to

independent owner operator trucks that are not remunerated on an hourly basis. These payments will commence on May 1, 2014 for the month of April for all trucks with installed GPS monitoring. Compensation will be set at a flat fee of \$25 per trip if the driver is at the scheduled location at Port Metro Vancouver container terminals but has not been provided with the container within two hours of the driver's scheduled pick up time.

14. A steering committee will be formed immediately following the return to work and will consist of representatives from the unionized and non-unionized trucking community, the terminals, Port Metro Vancouver, Transport Canada and the Province of British Columbia to be chaired by Transport Canada. The steering committee will monitor implementation of all commitments in the Joint Action Plan and share the results on a regular basis with all stakeholders.