



**Container Trucking at Port Metro Vancouver**

December 1, 2010

- The local container trucking drayage sector consists of 149 privately-owned trucking companies and 2,080 total trucks, excluding long-haul trucks.
- Trucking companies and truck operators contract with each other for services.
- Port Metro Vancouver does not operate container trucking companies or container trucks.
- Port Metro Vancouver does not remunerate container truck operators.
- Port Metro Vancouver is not a party to collective agreements or negotiations between a trucking sector private company and a union.
- To operate a container truck at Port Metro Vancouver, the Port's mandatory trucking license (TLS) requires companies and operators to agree on rates designated by their collective agreement, or by the "Vince Ready" rates for independent owner/operators.
- Wage-related issues of 83% of the container trucking sector are covered by legally-recognized collective agreement through four separate unions, or by employment statutes.
- 17% of the container trucking sector is not covered by collective agreement or not under an employer/employee relationship. Rates paid to these operators are set at the "Vince Ready" rates.
- The VCTA-CAW represents 333 members. In 2010, the contract between VCTA-CAW Local 2006 and its employers expired. On June 25, 2010 the VCTA-CAW Local 2006 served notice to bargain to its 12 trucking company employers. The union and companies are still in negotiations. Rates paid to VCTA-CAW members are determined by their collective agreement.
- Unions are responsible for resolving rate undercutting allegations within their own membership.
- The Government of Canada has mandated that Port Metro Vancouver enforce rates for container truck trips to, from and within Port property. Some operators want the Port to enforce rates for trips between points off Port property. However, dictating the rates for such trips goes beyond the scope of the regulation.
- Port Metro Vancouver, the Province of British Columbia and Transport Canada share the objective of stabilizing the container trucking sector in the Vancouver Gateway, and have jointly developed a fair and effective investigation and dispute resolution process.
- The current *Dispute Resolution Process for Non-Union Container Truck Owner-Operators* provides the 17% of the container drayage sector that are non-union, owner-operators with a process to resolve rate-related issues between themselves and the trucking companies with whom they contract.
- The Province of British Columbia investigates allegations of rate undercutting. Port Metro Vancouver enforces rates to the extent of its authority under the regulation. Currently, all companies are in compliance with the "Vince Ready" rates for trips to, from and within Port property.
- In compliance with Port Metro Vancouver's TLS provisions, those involved in disruption of Port business on Port property risk having their licences and permits suspended or cancelled and their access to Port property terminated.

## Background: “Vince Ready” Rates and TLS Milestones

- For six weeks in 2005, the Vancouver Container Trucking Association (VCTA) non-union, owner-operators withdrew trucking services at the Port. To resolve the dispute, mediator Vince Ready proposed a memorandum of agreement (MOA) that established rates, known as the “Vince Ready” rates. [Read the MOA and review the rates.](#)
- In 2005, by Order-in-Council, the Government of Canada mandated the Port Authority to implement a mandatory truck license system (TLS) and to enforce the “Vince Ready” rates for non-union, owner-operators.
- In 2006, VCTA members unionized by the Canadian Auto Workers (CAW) formed the VCTA-CAW Local 2006.
- In 2006, the Port implemented more rigorous standards and mandatory compliance with terminal reservations.
- In late 2006, the Government of Canada passed a regulation which replaced the Order-in-Council. In 2007 that regulation was expanded and required that Port Metro Vancouver’s TLS trucking company license holders pay owner-operators a rate of remuneration set out in their governing collective agreement. In the absence of a collective agreement, rates paid must be either according to any applicable law respecting rates, or equivalent to a rate set out in a collective agreement posted on Port Metro Vancouver’s website which was not less than those set out in the “Vince Ready” MOA. These rates expressly apply to container truck movements to, from and within Port property.
- In 2007, the Port implemented new and more rigorous licensing, audit and enforcement provisions for container truck operations. The Port issued new licenses only to companies with company-owned equipment and employee drivers. The Port agreed to audit and enforce the signatory component of the MOA.
- In August 2007, the remuneration complaint line was implemented. The Province of British Columbia manages a *Dispute Resolution Process for Non-Union Container Truck Owner-Operators*, in consultation with Port Metro Vancouver and Transport Canada, to support the Government of Canada’s trucking regulations. Aggregate audit results are posted on the [TLS website](#).
- In April 2008, Port Metro Vancouver prohibited access to port property to trucks older than 1989 unless they met new emissions standards.
- In May 2008, the TLS differentiated between full-service operators that were granted licences, and independent operators who were granted permits. Permit holders may only gain access to port property by being claimed by a licence holder.
- In January 2009, the Port prohibited access to port property to trucks older than 1994.
- In October 2010, the Port announced that as of January 1, 2011, the moratorium would be amended to allow fleet expansions by licence holders and to allow applications for new full-service licences.
- In October 2010, the Port announced a proposed \$300-per-container truck fee to come into effect in February 2011, to recover some costs associated with administering TLS requirements. A public comment period is in effect until December 31, 2010.
- For further information, please visit the TLS website at: <https://www1.pacificgatewayportal.com/tls4/Application/Default.aspx>