



Canadian Trucking Alliance Carrier Sample Letter to Government of Canada Regarding New Labour Code Provisions

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Prime Minister of Canada

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Many substantial changes to the Canada Labour Code are expected over the following months and years. At this time, there are three in particular that are of serious concern to me and my business.

1. The requirement for 96-hours written notice of shifts;
2. The requirement for 24-hour notice of any shift changes and;
3. The right to refuse over time for certain responsibilities. (This issue could be less of a concern depending upon future clarification from ESDC).

These provisions will make it difficult for me to make any changes when dispatching our trucks in support of our customers. In practice, this means that the shipping community will no longer be able to make adjustments to loads with less than 24 hours' notice. It will also ostensibly force all shippers to adjust their supply chains to work on a 96-hour advance timeline.

I can tell you this is not the type of timeline shippers in all sectors of the economy are used to working on.

The government undoubtedly knows there has been rapid changes to the logistics sector. Key operational trends like just-in-time inventory and 24-hour package delivery, cannot be ignored by government policy. Governments should be supporting and encouraging more flexibility, not less. In the trucking business, for example, there is an extraordinary amount of unpredictability. Depending on the shopping decisions of Canadians and the needs of the shipping community, the quantity of freight that is hauled can vary greatly, even from hour to hour. This is exacerbated by outside conditions such as weather, traffic, and infrastructure outages amongst a host of other unplanned distribution demands/changes that regularly occur. Requiring 24-hour notice of shift changes, or 96-hours' notice of shift scheduling, is exceedingly difficult in this environment. Likewise, the possibility that equipment and cargo may be abandoned mid-route is equally concerning.

The bottom line is these changes are going to have devastating effects on the trucking industry and the Canadian economy. Most major federally trucking companies operate continuously. The typical 9-to-5 work paradigm is not applicable to trucking companies. In all cases, operating principles are built around meeting customer needs. Our customers are found in every sector of the economy from agriculture, to natural resources, manufacturing, retail and beyond. If we are unable to move their freight, it will be their crops, materials, and goods that will sit and their supply chain that will be compromised.

My biggest fear is that if these customers can no longer be serviced by Canadian carriers, they will look to our competitors to meet their needs. As you are undoubtedly aware, there are about 11 million trucks that cross the Canada-US border every year, or 1 truck every 3 seconds. Of this, nearly 70% of that two-way traffic is by Canadian registered trucks. Without a doubt, we believe it is in our national interest to have the commercial activity at the Canada-US border continue to be dominated by Canadian companies. We trust ESDC and the Government of Canada would agree with this assertion.

A secondary and equally perverse effect is that this could promote precarity in our sector. Rather than delivery by established professionals in good-paying jobs some carriers and shippers could look to expand contract work in our sector, through the known Driver Inc. scheme, as a means to escape these provisions. Surely, fueling a non compliance that is already leading to over \$1billion a year in lost tax revenue is not the government's intention.

Equally important is these provisions show no regard for the Transport Canada hours of service rules governing our industry and drivers. These rules were developed to manage fatigue and make the workplace safer for drivers. These Transport Canada rules were also designed to make highways safer for all Canadians. Currently our industry is moving to an electronic logging device (ELD) system that is programmed by third-party providers. What rules should I follow? What rules should my drivers follow? What should I be telling the ELD providers to do? I understand that the Canadian Trucking Alliance (CTA) has brought this regulatory conflict to the attention of ESDC officials.

The Canadian Trucking Alliance (CTA) has asked you as Minister of Labour for an exemption from these crippling changes. We support this request and implore you to allow the Canadian trucking industry to continue to service our customers and to meet the demands of the modern Canadian economy.

Sincerely,

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