



Information Note

Advice to Minister Melanie Mark

Date: August 17, 2018

Cliff #: 113784

Issue: Professional Reliance Review Update

Background / Facts:

- Professional Reliance is the practice where activities are overseen by professionals in the private sector, with monitoring undertaken by self-governing professional organizations responsible for enforcing codes of ethics, professional standards and disciplinary processes.
- A review of the Province's Professional Reliance model was included in the Confidence and Supply Agreement as well as the Minister of Environment and Climate Change Strategy (ENV)'s mandate letter.
- An independent report on Professional Reliance was presented to government on June 28, 2018.
- Advanced Education, Skill and Training (AEST) is impacted by recommendations from the report related to professional governance, including:
 1. Establishing an independent Office of Professional Regulation and Oversight.
 - The independent Office would administer the professional legislation of the five professional associations [PAs] (including Engineers and Geoscientists BC (EGBC) and Applied Science Technicians and Technologists of BC (ASTTBC)).
 2. Legislating critical elements of professional governance in a new Act.
 - The five professional Acts would eventually be repealed, replaced by an umbrella Act that governs all five professions, with profession-specific details in the regulations. The new Act would contain specific standardized requirements for professional governance in the natural resource sector, and could eventually be expanded to other professions.
- Cabinet accepted these two recommendations, and government, led by ENV, is currently drafting legislation to be introduced in Fall 2018 to implement these recommendations.
- AEST staff have been involved in the ADM Steering Committee for the Professional Reliance Review, and have the opportunity to comment on the draft legislation as it progresses.
- ENV has just completed a series of nine consultation meetings with the five PAs. A consultation session with external stakeholders is planned for late August.
- The PAs have expressed a number of concerns, not only about the content of the proposed legislation, but also about the consultation process and the tight timeline for bringing it forward.
- Additional recommendations in the report are still under consideration by government – with just over a 1/4 of the 121 recommendations applying broadly to professional regulation, and the rest related specifically to natural resource regulatory regimes that will not directly impact AEST.
- Proposed legislation, and implementation of the other broadly applying recommendations, has the potential to significantly impact other professions in the future.



Analysis:

- The following are some of the major areas of concern that have been identified by the PAs:

General Concerns

- The policy rationale for changes has not been adequately communicated.
- The timeline and the decision to introduce legislation this Fall is too rushed, and PAs have not been sufficiently consulted on the proposed changes.
- The changes erode the principles of self-regulation and point to government over-reach.
- EGBC is concerned that the 80% of its members who do not work in the natural resource sector will be subject to a body with a natural resource focus.

Office Structure

- The proposed office will be an independent office created by statute s.12,s.13
s.12,s.13
-

Office Powers

- PAs are adamant that the mandate of the Office, which includes s.12,s.13 issuing directives, be restricted to governance matters only.
- The office will add another layer of regulation with overlaps in authority.

Appointment Process:

- s.12,s.13
-

Conclusion / Next Steps :

- ENV staff will be briefing the Minister on progress made on Professional Reliance, prior to a meeting with Minister Heyman.
- AEST staff will continue to engage with ministry stakeholders and monitor progress on the legislative drafting.

Attachment(s): N/A

Contact: Tony Loughran, Executive Lead, Governance, Legislation, and Corporate Planning Division



Meeting Note

Advice to Minister Melanie Mark

Date: August 1, 2018

Cliff #:113723

Prepared for: Melanie Mark, Minister, Advanced Education, Skills and Training

Date, Time of Meeting and Location:

- Wednesday, August 8 at 1:00pm, Constituency Office

Attendees:

- Melanie Mark, Minister, Advanced Education, Skills and Training
- Dave Earle, President & CEO, BC Trucking Association (Appendix 1)
- Staff (TBD)

Issue: BC Trucking Association (BCTA) request to establish a minimum standard for entry-level training

Background:

- BCTA is the recognized voice of the commercial motor carrier industry in B.C. Its members include some of Canada's largest trucking companies but most are small to medium sized B.C. based businesses hauling every conceivable type of freight.
- BCTA has been advocating for the last decade for B.C. to establish minimum mandatory Class 1 driver training that would help produce safer and more reliable operators of heavy commercial vehicles.
- In November 2017, the BCTA met with staff in the Workforce Innovation and Division Responsible for Skills Training requesting their support and guidance in implementing a minimum standard for entry-level training. The BCTA suggested that a minimum entry level training requirements would support workforce development by helping to attract new entrants to the industry and change the perception of the occupation by designating it as a 'skilled trade'.
- ICBC conducts Class 1 commercial driver testing on behalf of the Province. ICBC has legislated authority under Section 25 of the Motor Vehicle Act to require knowledge and road testing for the purpose of determining a driver's licence applicant's driving experience, driving skills, qualifications, fitness and ability to drive and to operate any category of motor vehicle. (Appendix 2)
- ICBC supports minimum mandatory Class 1 driver training in B.C., but does not have legislative authority to require mandatory Class 1 driver training as this is under the legislative authority of the Ministry of Public Safety & Solicitor General.

Discussion:

- A 2016 report prepared for the Canada Trucking Alliance forecasts a shortage of 34,000 truck drivers across Canada by 2024 reflecting an increase in demand of 25,000 and decrease in supply of 9,000. In B.C., the gap is anticipated to be between 2,200 and 4,500 drivers depending on the strength of the economy
- B.C.'s Labour Market Outlook forecasts 14,400 job openings by 2027 in the Truck transportation sector and a total supply addition of 15,230. As a result, truck transport operators have been removed from the High Demand Occupation list as labour supply is expected to balance with demand projections.
- There is still a need to focus on enhancing specific skills such as driving skills required for B.C.'s mountainous terrain, and particular industry skills needs such as safety training for transporting logging, petroleum and hazardous material loads.
- In 2016, LMIO industry consultations had identified difficulty in hiring truck drivers with the right skills and the Job Vacancy and Wage Survey shows a high number of vacancies for truck drivers. Although vacancies in this occupation persist, wages aren't increasing to help attract people to these jobs.
- Following the Humboldt Broncos bus crash in April 2018, in which the driver of the semi-trailer has been charged with 16 counts of dangerous operation of a motor vehicle causing death, safety concerns regarding commercial motor carriers has risen significantly across Canada.
- Provincial representatives from B.C., Alberta, Saskatchewan and Manitoba have been in discussions since June 2018 through the Canadian Council of Motor Transport Administrators to coordinate provincial best practices for minimum mandatory training requirements, and standardization of Class 1 driver training curricula provided by the driver training industry. (Appendix 3)
- s.13
-

Suggested Response/Key Message:

- I was shocked and saddened to hear about the tragedy in Humboldt, Saskatchewan and my thoughts go out to all those involved.
- Thank you to the BCTA for their efforts towards creating safer roads in B.C., their continued contributions to the economy, and the long-term relationship established with the Ministry.
- B.C. is actively in the process of reviewing its Class 1 driver training requirements for possible changes.
- I understand you have had a number of conversations with the AG's Ministry and ICBC, and they have indicated this appears to be a change that government would be supportive of, but we need to wait on the recommendations from ICBC and a formal decision process before confirming.

Attachment(s): *Appendix 1 – Dave Earle, President and CEO, BCTA, Biography*
Appendix 2 – ICBC BN – MMF meeting with SK Minister
Appendix 3 – BCTA BN – Entry Level Driver Training in Other Jurisdictions

Contact: *Rishi Sharma, Director, Governance, Engagement and Corporate Services*

Appendix 1: Dave Earle Biography



The BC Trucking Association (BCTA) is a province-wide, non-partisan, non-profit motor carrier association formed solely to advance the interests of BC motor carriers. The majority of members are small to medium size businesses, often family-owned enterprises. BCTA members operate about 13,000 to 14,000 vehicles, employ over 26,000 people and generate approximately \$2 billion annually in revenues in BC.

Founded in 1913, BCTA includes among its members for-hire and private carriers hauling freight including manufactured goods, heavy specialized commodities, bulk products, household goods and general freight. Also, in addition to direct members, BCTA also represent the following associations: BC Ready-Mixed Concrete Association; BC Structural Movers Association Manufactured Housing Association of BC Northern BC Truckers Association.

Contact: Dave Earle, President



The BC Trucking Association (BCTA) has appointed Dave Earle as President and Chief Executive Officer effective January 8, 2018. Dave Earle most recently provided service to BC's building trade signatory contractors as Vice President, Government Relations and HR Services for the Construction Labour Relations Association of BC (CLR). Before CLR, he worked as an adviser, manager and executive director with the provincial Ministry of Labour's Employers' Advisers Office.

As President and CEO of BCTA, Dave will be responsible for the overall management and direction of the association and for promoting the interests and image of its members and the trucking industry to governments, the business community and the public.

Among his Board and Committee duties, Dave is the Past President of the Employers' Forum, Employer Caucus Chair for WorkSafeBC's Policy and Practice Consultation Committee and Secretary of the Canadian Hoisting and Rigging Safety Council. He also served as Co-Chair for the BC Construction Industry Substance Testing and Treatment Program, Construction Industry Rehabilitation Program and as a member of the Construction Association Sector Advisory Council for the Industry Training Authority.

Dave holds a BA, Communications and Political Science, from Simon Fraser University and has studied at Camosun College and the Niagara Institute.

Contact Information:

20111 93rd Avenue
Langley BC, V1M 4A9
604-888-5319
daveE@bctrucking.com

www.bctrucking.com
@BCTruckingAssoc

Appendix 2- ICBC BN-MMF meeting with SK Minister



BRIEFING NOTE

CLIFF # 551964

Prepared for: **Honourable Mike Farnworth**, Minister of Public Safety and Solicitor General
for INFORMATION

Subject: The Honourable Joe Hargrave, Minister responsible for Saskatchewan Government Insurance, is meeting with the Minister on July 23rd, to discuss mandatory entry-level training for Class 1 commercial drivers in light of the recent tragedy in Humboldt, Saskatchewan.

Background:

- Consistent with all Canadian jurisdictions except Ontario, BC does not require mandatory entry-level driver training for commercial drivers. BC does require completion of 16-hours of standardized air brake training.
- Applicants for a Class 1 Commercial Driver's Licence (CDL) must qualify with the Insurance Corporation of BC (ICBC) on an air brake knowledge test and a Class 1 knowledge test. Applicants must also complete mandatory air brake training, a vehicle pre-trip inspection test and on-road test in a loaded commercial vehicle.
- The call for mandatory commercial driver training and standardized training curriculum has become more urgent among constituents and the trucking industry, like the BC Trucking Association (BCTA), since the April 2018 crash in Saskatchewan involving members of the Humboldt Broncos hockey team.
- The crash occurred between a Class 1 driver operating a semi-tractor trailer vehicle, and a large coach bus. As a result, Alberta, Manitoba and Saskatchewan are contemplating introduction of minimum mandatory training, or at least standardized Class 1 driver training for new applicants.

Discussion:

- Provincial representatives from BC, Alberta, Saskatchewan and Manitoba have been in discussions since June 2018 through the Canadian Council of Motor Transport Administrators (CCMTA), to coordinate provincial best practices for minimum mandatory training requirements and standardization of Class 1 driver training curricula provided by the driver training industry.
- Ontario is the only Canadian jurisdiction to require Class 1 CDL applicants to take a prescribed theory and practical training course prior to the provincial road test. The Ontario Mandatory Entry Level Training (MELT) program was introduced July 1, 2017 (curriculum topics are provided in Appendix A).
- In March 2017, the US Federal Motor Carrier Safety Authority (FMCSA) mandated that all new applicants for any class of commercial license must complete commercial driver training. FMCSA set the core curriculum requirements with which all US states must be compliant by February 2020.

ICBC BRIEFING NOTE

- ICBC determines the driver testing requirements for all drivers under section 25(3) of the *Motor Vehicle Act* (MVA). Applicants applying to ICBC for a Class 1 CDL to operate a heavy commercial vehicle may complete BC's CDL testing requirements within a week.
- ICBC also has oversight of the driver training industry under provisions in *Motor Vehicle Act Regulation* (MVAR) Division 27. While Division 27 allows ICBC to set policy guidelines for driver training curriculum content, specifying it must be ICBC approved and monitored, it focuses mainly on consumer protection rather than curriculum.
- Consequently, driver training schools may choose the structure and content of commercial driver training, resulting in variability of content quality and duration. While standardizing training may improve course offerings, it may not increase enrolment by Class 1 CDL applicants.
- ICBC supports minimum mandatory Class 1 driver training in BC, but does not have legislative authority to regulate mandatory Class 1 driver training. s.13
- s.13

Recommended Response:

- Hastened by the tragedy in Humboldt, BC is actively in the process of reviewing its Class 1 driver training requirements for possible changes. BC is aware of the shift to mandatory driver training for commercial drivers that is occurring in other jurisdictions, like Ontario and the United States.
- Currently, applicants for a British Columbia Class 1 commercial driver's licence (CDL) must undergo robust testing requirements that are among the highest standards in Canada.
- BC's commercial driver training model is consistent with all Canadian jurisdictions, except Ontario, which implemented a Class 1 minimum entry-level training (MELT) requirement in July 2017.
- The Ontario MELT model is a positive first step, but BC believes there may be other models that provide stronger curriculum requirements (e.g., more behind-the-wheel hours for a similar cost).

ICBC Key Contact:

Chris Tupper
Manager, Policy and Partnerships
Phone: 604-982-1228
Email: chris.tupper@icbc.com

ICBC Business Area Contact:

Glenn Anness
Manager, Licensing Policy & Standards
Phone: 250-414-7938
Email: glenn.anness@icbc.com

Appendix A:
Ontario Minimum Entry-Level Training (MELT) for Class 1 DL Applicants

The MELT program is based on the Canadian National Occupational Standard (NOS) for Commercial Vehicle Operators (Transport Truck Drivers), and incorporates the main NOS competencies in the table below, during the total 103.5 hours of minimum training:

- 36.5 hours of classroom instruction;
- 17 hours of in-yard (vehicle not moving) instruction; and
- 50 hours of instruction behind the wheel (32 hours on-road; 18 off-road).

Driving Competencies	Preparing to drive; controlling vehicle motion and speed; controlling vehicle direction and position; maximizing fuel efficiency; defensive driving techniques (i.e., anticipating other road users); adhering to commercial vehicles weight and height restrictions; backing, docking, turning and parking vehicles and trailers; emergency incidents; coupling/uncoupling trailers.
Functional Competencies	Trip planning; solving problems; loss prevention and maintaining secure facilities; inspection and maintenance programs; daily vehicle inspections; hour of service regulatory compliance; operating vehicle air brake systems; securing cargo for transport; operating commercial vehicle systems; and maintaining situational awareness.
Supportive Competencies	Developing positive work attitudes and workplace integration; health and wellness; relationship building and communication skills; understanding regulatory requirements; trucking industry skill development-documents, numeracy, skills, computers and electronic devices.

**Driver training schools offering the Ontario government-approved MELT program may include additional optional training components and training hours in excess of the minimum 103.5 hours that are required.*

Appendix 3: Entry Level Driver Training in Other Jurisdictions



100 – 20111 93A Avenue
Langley, BC V1M 4A9
e bcta@bctrucking.com
t 604 888 5319 f 604 888 2941
toll free 1 800 565 2282
bctrucking.com

~ BRIEFING NOTE ~

Entry Level Truck Driver Training Standards in Other Jurisdictions

April 19, 2018

Background

Operating a large heavy-duty commercial vehicle alongside the driving public and meeting federal and provincial laws and regulations, municipal by-laws and restrictions, and customer requirements demands a skilled and trained individual with the appropriate aptitude and level of professionalism. Today, in BC, there is no standard to train people for the commercial vehicle operator occupation, and industry views the commercial driver licence test to be an insufficient determinant of technical skills. As a consequence, there is no clear path to employment in the industry. While private driver training schools exist and can offer high-quality training that produces employment-ready individuals, not all schools train to industry's expectation. Moreover, private driver training programs rarely qualify for student loan financing.

Driver Training in Other Provinces

Summary:

Jurisdiction	Requirements
Quebec	No mandatory standard, but two institutions serve 90% of trained drivers
Ontario	Minimum of 103.5 hours of training (115.5 with Air Brakes Course): includes 36.5 hours class time, 17 hours of yard time, 50 hours of in-cab time.
Manitoba	240 hours of instruction time: 80 hours of class time, 40 hours of yard time, 120 hours of in-cab time
Saskatchewan	70 hours proposed by SGI: includes 18 hours of classroom training and 52 hours of in-cab time.
Alberta	None, but the Minister of Transportation is on record indicating his ministry is taking a serious look at mandatory driver training for safety reasons.
British Columbia	None

Ontario – Mandatory Entry-Level Training (MELT)

Ontario is currently the only province in Canada with a mandatory commercial driver training standard. Effective July 1, 2017, all new drivers attempting the Class A Road Test (equivalent to BC's Class 1 driver's licence) must successfully complete a MELT course (Appendix E) first. Commercial drivers who already hold a Class A licence as of July 1, 2017, were exempt.

- The MELT standard is based on the NOS for Commercial Vehicle Operator (Truck Driver).

- It includes 103.5 hours of training (or 115.5 hours with the addition of a separate 12-hour Air Brakes course), and the training is valid for life.
 - The minimum program requirements¹ include 36.5 hours in class; 17 hours in the yard (around the vehicle); and 50 hours in cab (32 on road, 18 off road). Although four students are allowed at one time in cab, observation time is not calculated towards completion of mandatory training hours behind the wheel.
- Training is delivered by registered private or public provincial colleges or by training providers recognized under Ministry of Transportation-Ontario's (MTO's) Driver Certification Program. Similar to the US system, administrators of approved courses will enter successful trainees into an MTO database to confirm eligibility to take the Class A Road Test.
- The cost varies by training provider; however, students may be eligible for funding through programs such as Second Career, the Workplace Safety Insurance Board, Ontario Works, or through Aboriginal Bands for band members.

Manitoba – Manitoba Truck Driver Training Program

Effective January 2018, the Skills and Employment Partnerships Branch of Manitoba's Department of Education and Training (MET), implemented a revised policy approach for supporting Class 1 truck driver training as a one-year demonstration project under its Skills Development Program. Renewal of the program will be dependent on an internal evaluation.

The training is optional, and is not a requirement to be eligible to take a Class 1 Provincial Road Test. The training program to be funded as of January 2018 will contain elements of a provincial truck driver training program that had been funded by Manitoba Public Insurance (MPI) until July 2017. MPI withdrew its sponsorship after 10 years based on its determination that this training program was outside the scope of the organization. MPI's responsibility consisted of offering tuition to qualified trainees, program oversight and quality assurance.

Manitoba covers the major portion of tuition fees for apprentices in about 55 trades when they attend technical/in-school training.² Since truck driving is not a trade, there were significant cost barriers for students considering training to enter this profession when compared to trades training.

- The new training program, like the MPI-funded program, will be based on the NOS.
- Training will include a minimum of 244 hours, offered over a six-week program.
 - The training requirements are broken into 80 hours in classroom, 160 practical observation and training (40 hours in-lab and 120 hours in cab), and 4 hours for testing with MPI.
- Individuals who apply for training who obtain a conditional offer of employment from a trucking company, and a letter of acceptance from an accredited Class 1 truck driver

¹ MELT is a minimum standard. Curriculum developers may choose to exceed the requirements.

² <https://www.gov.mb.ca/wd/apprenticeship/generalinfo/grantstax.html> (accessed December 6, 2017)

training school (there are currently five in Manitoba) are eligible to receive 100% full tuition funding for their training to a maximum of \$9,000.

- If already employed, MET will authorize these individuals to quit their job to participate in training regardless of income level. The authorization to quit ensure individuals remain qualified to receive Employment Insurance benefits after they quit their job. Individuals may also be eligible for other financial supports, including living allowances and other incidental costs, to be determined on a case-by-case basis depending on individual need.
- Trucking companies may also take advantage of a provincial Wage Subsidy Program for these trainees once they've completed their training program.

Quebec

While private truck driver training institutions operate in Quebec, the two main schools (Centre de Formation de Transport Routier in Saint-Jerome and Charlesbourg), which produce 90 percent of trained truck drivers in the province, are funded by the Quebec Ministry of Education.

Saint-Jerome alone trains approximately 1,300 drivers annually, with 150 instructors on a fleet of 125 trucks and 145 semi-trailers. The program includes 615 hours of training.

Saskatchewan

Saskatchewan Government Insurance (SGI) has consulted the Saskatchewan Trucking Association about a proposed training standard for Class 1A licences, however nothing has been publicly released or formally established as standardized curriculum. The intention was for SGI to require all the driver training schools they license across the province to teach this standardized curriculum. The roll-out would likely not be until 2019, and it's unclear whether the Humboldt tragedy will re-open the discussion about a mandatory standard. The proposed standard would likely require 18 hours in classroom with another 52 hours in-cab.

Alberta

Alberta's Minister of Transportation recently indicated his ministry will be looking at whether to implement mandatory driver training for commercial drivers.

About the BC Trucking Association

The BC Trucking Association (BCTA) is the recognized voice of the commercial motor carrier industry in BC. Formed in 1913, BCTA's objectives are to advise its members on all matters affecting the commercial motor carrier industry, promote and protect the rights and interests of the owners of motor carrier companies, and promote just and fair government regulations and enforcement thereof.

BCTA members include trucking companies hauling every conceivable type of freight. Some of our members are among Canada's largest trucking companies, but most are small to medium sized, BC-based enterprises. BCTA represents about 1,250 motor carrier fleets and over 200 industry suppliers. BCTA members operate about 13,000 vehicles in BC.

BCTA is one of seven provincial and regional trucking associations that make up the federation known as the Canadian Trucking Alliance (CTA).