



PASSENGER TRANSPORTATION BOARD REMUNERATION PLAN 2021

Abstract

This document provided guidance for the implementation of remuneration for appointees to the
Passenger Transportation Board

Passenger Transportation Board Remuneration Plan

1. Background

Remuneration Guidelines for Administrative Tribunals and Regulatory Boards

This remuneration plan applies to the Passenger Transportation Board's (the Board) appointees and is set pursuant to *Treasury Board Directive 1-20 – Remuneration Guidelines for Administrative Tribunals and Regulatory Boards (TBD 1-20)*. The Board is classified as a Level 2 regulatory tribunal. In May 2019, at the request of the Deputy Minister, Ministry of Transportation and Infrastructure and with the approval of the Appointee Remuneration Committee (ARC), the Board was temporarily re-classified as a Level 3 regulatory tribunal. This decision was made in recognition of the increased accountabilities, responsibilities, and complexities associated with the implementation of Transportation Network Services in British Columbia. The reclassification of the Board is temporary until a review of its long-term responsibilities can be completed in fall 2021.

Passenger Transportation Board Overview

The Board is an independent regulatory tribunal established under the *Passenger Transportation Act*. The Board is primarily a licensing tribunal that annually receives 200-250 applications related to the licensing of inter-city buses and passenger directed vehicles (e.g., Transportation Network Services, taxis, limousines, etc.). The Board sets and monitors policies regarding operating areas, fleet sizes, and rates for commercial passenger directed vehicles. The Board also receives appeals regarding administrative penalties imposed by the Registrar of Passenger Transportation.

The Board consists of six part-time board members, including the Chair, remunerated on an "as and when required" basis. The members are appointed to the Board by the Lieutenant Governor in Council after a merit-based process. The Board meets at least quarterly and more often as required. Licensing decisions are made by individual Board members or a panel of Board members selected by the Chair. Panels are assigned in cases of first instance or in complex cases. As well, newly appointed Board members will be initially assigned to panel with a more experienced Board member who can mentor them to ensure quality decisions.

The Board's funding is provided by the Ministry of Transportation and Infrastructure. Operational support is provided by six FTE at the Ministry of Transportation and Infrastructure.

TABLE 1 PASSENGER TRANSPORTATION BOARD APPOINTEES

Passenger Transportation Board Appointees (Fiscal 2021/22) (FY 2021/22, actual numbers may vary)			
Category*	Position Name**	Number of Positions	Role Description
Chair (PT)	Chair	1	Pursuant to s. 9 of the <i>Administrative Tribunals Act</i> , the Chair is responsible for the effective management and operation of the tribunal and the organization and allocation of work among its members.
Member (PT)	Board Member	5	Board members review written materials and write decisions in response to license applications and appeals of administrative penalties and to set and monitor policies.

* Type of appointee per TBD 1-20.

** The name of a position may differ from the classification under TBD 1-20, e.g. an individual may be appointed as a "member" but the position they hold may be called a "panel vice chair" and subject to different remuneration maximums than an individual appointed as a "vice chair" for a tribunal.

Passenger Transportation Board Remuneration Plan

2. Remuneration Plan

Appointee remuneration is paid on a “per diem basis” and must not exceed the maximum daily rate for the positions. The Chair has a daily rate of \$725 and the members daily rate is at \$500. Approved remuneration rates are set out as full day per diems and are based on an eight-hour day. Appointees are responsible for submitting invoices for work performed.

An appointee may not receive more than the maximum daily rate unless there are ‘extraordinary circumstances’ where an appointee is required to contribute time over and above the ‘ordinary’ expected commitment. In the event of ‘extraordinary circumstances’, the Chair will submit a request to the Deputy Minister of Transportation and Infrastructure outlining the situation and its expected duration and financial impact. If in agreement, the Deputy Minister will submit a request to ARC for their approval.

Appointees may be remunerated at the Chair’s discretion for:

- Attending required professional development or training;
- Undertaking recruitment or outreach activities;
- Mentoring and/or onboarding staff or members;
- Performing administrative and other duties for the purpose of achieving the tribunal’s statutory objectives and improving access to justice.

Appointees are reimbursed for transportation, accommodation, meal and out of pocket expenses incurred in the course of their duties in accordance with the Group 2 rates, policies, and procedures outlined in the *Terms and Conditions of Employment for Excluded Employees and Appointees*.

The work of appointees is not insurable and therefore remuneration is not subject to Employment Insurance deductions. Appointee remuneration is taxable income and income tax may be payable in accordance with the federal *Income Tax Act* unless the total remuneration for the tax year for the appointee (from all sources) is less than the basic personal amount (see CRA website for the applicable amounts each year). Appointees are “office holders” under the *Excise Tax Act* therefore appointee remuneration is not subject to GST (either charged or payable).

Effective Date: April 9, 2021