



Independent Contractor Practices Policy Committee

CHAIRMAN: Lance Votroubek, Vice President/GM – Van Division, Warren Transport
TCA STAFF LIAISON: David Heller, Caitlin Smith

MINUTES:

MEETING DATE: Sunday, March 20, 2022
TIME: 2:30 p.m. – 3:30 p.m. PT
PLACE: Wynn Las Vegas Resort

MEMBERS PRESENT

Jeff Amen
Joe Beacom
Avi Geller
Chris Gulker
Darrel Hopkins
Brent Hutto

Steve Mueller
John Simms
Lance Votroubek
Gary Weilheimer
Nicholas Wingerter

GUESTS PRESENT

Farruh Amonov
George Ar
Phil Baker
Ava Barnes
Travis Baskin
Brent Bies
Lance Brittain
Harman Cheema
Sean Claton
Shannon Cohen
John Culp
Carl Cutler
Nick Darman
Bobby Dhillon
Raman Dhillon
Phillip Edwards
John Elliott
Jim Elliott
Michael Fitzsimmons
Dave Gallano
Edgar Gulbis
Ray Haight
Tommy Hodges
Deidre Hudson
Josh Kaburick

Josh Krause
Kenneth Lacey
Mark Lawver
Jack McCloskey
Scott Miller
Nancy Morrison
Ed Nagle
Dean Newell
Phil Peck
Steve Perryman
Brian Runnels
Paramveer Sandhu
Nancy Schmall
Baljot Sekhon
Jatinden Singh
Palwinder Singh
Jason Smith
Aaron Thompson
Andrew Toepfer
Sal Verazzi
Craig Varljea
Jon Wildish
Ron Young
Josh Zolotor
Alex Zuhlke

TCA STAFF

David Heller
Caitlin Smith
Eddie Wayland

I. Call to Order

Committee Chairman Lance Votroubek called the meeting to order at approximately 2:30 p.m. PT and asked attendees to sign in. A motion was made, seconded, and passed to conduct the meeting according to the antitrust guidelines. A motion was made, seconded, and passed to approve the minutes of the previous meeting on September 26, 2021.

II. NLRB Legal Update – Eddie Wayland, King & Ballow

Eddie Wayland provided an update to the committee on organized labor across states, by identifying ‘Right to Work’ states and considering union membership by state. Then, he reviewed President Biden’s expressed opinions about organized labor and outlined the current makeup of the National Labor Relations Board, which leans pro-union. He also detailed the role the Department of Labor will likely play on this issue.

III. Independent Contractor Financial Update – Jeff Amen, ATBS

Jeff Amen provided an analysis of independent contractor benchmarking for 2021. He reviewed the size of the owner operator population and the overall driver shortage. Then, he examined the revenue analysis by market segment and mileage. He overviewed pay, costs, and net income trends for owner operators.

IV. AB 5 Legal Update – David Heller, TCA

David Heller provided a legal update on the AB, stating that California is currently blocked from enforcing AB 5 against motor carriers. Attendees learned that the Supreme Court denied reviewing the Cal Cartage case, but may consider the more significant case brought by the California Trucking Association.

V. Impact on New Emissions Standards – David Heller, TCA

Heller reviewed the current state of emission standards in the United States, focusing on several regulations enacted by the California Air Resources Board (CARB). He covered the California Truck and Bus Regulation, which most trucks are already compliant with. He discussed the ‘smog check’ regulation on medium and heavy-duty trucks. He detailed the Advance Clean Trucks rule and the Advance Clean Fleets draft rule, which both seek to increase the percentage of zero-emission truck sales and deployment. Lastly, he informed the committee that the EPA is preparing Nationwide emission regulations, that could mirror CARB standards.

VI. Old/New Business

Since there was no old or new business to address, Chairman Votroubek requested a motion to adjourn the meeting. A motion was made, and the meeting was adjourned at approximately 3:30 p.m. PT.

DRAFT