

CLAIMS POLICY

To file a claim with Fleetway Transport Inc.

1. By mail – you must use a service that provides confirmation of delivery.
2. By email to safety@fleetwaytrans.com – you will receive a reply back confirming receipt of your claim and a Claim Number. If you do not receive a response back call (519) 753-5223 speak with Safety to confirm receipt and obtain a Claim Number.
3. By Fax: Attention Safety: (519) 753-0367

What is a Freight Claim?

A Freight Claim is a written request for compensation for damaged or lost goods while in the carriers care and control.

Who can file a Claim?

Only a party to the bill of lading or a third party directly contracted to Fleetway Transport with respect to the shipment in question may advance an action.

What is the time limit to submit a Claim?

Notice of intent to Claim must be filed in writing within sixty days from the date of delivery. The final claim must be received within nine months from the date of shipment.

What is required to submit a Claim?

Any and all supporting documents including but not limited to the following must be submitted with your claim:

- Name and contact information of whom is submitting the claim
- Shippers name, address and contact number
- Receivers name, address and contact number
- Copy of the bill of lading
- Copy of the signed delivery receipt denoting any damages and/or shortages
- Copy of the suppliers invoice, customs invoice, or proof of manufacturing cost. This will be used to determine the value of the shipment.
- Any and all photographic evidence.
- Copy of invoices for any repairs, parts and labour.

Pay the freight charges. Filing must be accompanied by a copy of the paid freight bill.

What is Fleetway Transport Inc. responsible for?

Fleetway Transport Inc. shall not be liable for loss of damage to a shipment unless there is proof of carrier negligence causing loss or damage. The liability shall be limited to the lesser amount of either;

- I. The value of the goods at the time when the damage occurred. Value of goods represents the claimants cost of goods, not retail or invoiced price. You will be required to submit your suppliers invoice or manufacturing cost.
- II. The cost of repairs, including replacement parts and labour. The maximum liability on labour rates is \$25.00 per hour.

- III. Maximum liability of \$2.00 per pound based on the total (actual) weight of the shipment originating in Canada or;
- IV. The Value declared on the bill of lading.

For USA shipments:

In the United States the carrier is liable for actual cost of the damages to the shipment if the freight is lost or damaged; unless prior to the shipment, the shipper agrees to a lesser settlement value.

Fleetway Transport Inc. is not responsible for collateral damages and/or damages indirectly associated with the damaged goods.

What are you responsible for?

It is incumbent upon you to mitigate your damages and protect the product from further damage. The burden of proof remains on you to “prove” or provide evidence of damage and valuation for your claim.

Taxes:

Tax is not paid on cargo claims

Keep the Freight!

Do not discard damaged freight or the packaging until the claim has been settled and disposition has been agreed.

Good Faith

There is a responsibility on all parties to do *everything within reason* to mitigate the amount of freight damages in good faith.

Profiting from freight claims

You cannot profit from freight claims. The value of the freight damages will be limited to the manufactured cost of the goods and not the selling price.