

Please read the Guide to the Appeal Form before completing this form.

This Appeal Form, along with the required attachments, must be delivered to the Tribunal within the statutory appeal period.
See Rule 18(3) of the Tribunal's *Rules of Practice & Procedure* (the "Rules").

1. The Appellant: (Company/Organization/Individual named in the Determination who is making the appeal)

Name _____

Address _____

City _____ Province _____ Postal Code _____

Phone _____ Facsimile _____ E-mail _____

2. c/o Appellant's lawyer or agent (if applicable):

Name _____

Address _____

City _____ Province _____ Postal Code _____

Phone _____ Facsimile _____ E-mail _____

3. Select your ground(s) of appeal? [See section 112(1) of the *Employment Standards Act* ("ESA")]

- The Director of Employment Standards erred in law.
 The Director of Employment Standards failed to observe the principles of natural justice in making the Determination.
 Evidence has become available that was not available at the time the Determination was being made.

4. What do you want the Tribunal to do about the Determination?

- Vary it? Cancel it? Refer it back to the Director of Employment Standards?

5. Provide your reasons and argument for your appeal on a separate sheet of paper.

Please attach any supporting documents. The reasons, argument, and supporting documents should be received by the Tribunal within the statutory appeal period.

Note: You do not have to resubmit documents previously submitted and disclosed during the complaint investigation process at the Employment Standards Branch as the Director of Employment Standards must provide the Tribunal with a copy of the *ESA* section 112(5) record; however, you may indicate to the Tribunal the particular document(s) you are relying on.

Note: In your submission to the Tribunal, please redact any instances of a Social Insurance Number or Date of Birth from the documents in your submission.



6. I am requesting an extension of time to the statutory appeal period pursuant to section 109(1)(b) of the ESA.

If you are filing your appeal before the appeal period has expired, on a separate sheet of paper, please provide a reasonable and credible explanation for the extension sought and specify the date to which you require the appeal deadline be extended.

If you are filing your appeal after the appeal period has expired, on a separate sheet of paper, please provide a reasonable and credible explanation for failing to request an appeal within the statutory limit.

7. Submit the following documents to the Tribunal within the statutory appeal period.

[by mail to Suite 650, 1066 West Hastings Street, Vancouver, BC V6E 3X1, or by e-mail to registrar@bcest.bc.ca, or by fax to 604-775-3372]

Note: Documents submitted to the Tribunal as part of your appeal are disclosed to the other parties to the appeal, including the Director of Employment Standards.

- Completed and signed Appeal Form (Form 1) (2 pages)
 Written reasons and argument supporting each of your grounds of appeal
 Any documents that support your appeal
 Written reasons for requesting an extension to the statutory appeal period (if applicable)
 A complete copy of the Determination
 The written Reasons for the Determination

8. I confirm I have delivered a copy of this signed and completed Appeal Form (2 pages) to the Director of Employment Standards in accordance with section 112(2)(b) of the ESA.

[by mail to PO Box 9570 Stn Prov Govt, Victoria BC V8W 9K1 or by fax to 250-356-1886,]

9. Sign and date this Appeal Form (Form 1).

Print Name: _____

Signature: _____

Date: _____

If you are submitting this appeal on behalf of a company or an organization, what is your relationship to the organization? _____ (example: director, officer, manager)