

Citation: Octiscapes Landscaping Ltd. (Re)
2019 BCEST 20

An appeal

- by -

Octiscapes Landscaping Ltd.
("OLL")

- of a Determination issued by -

The Director of Employment Standards

pursuant to section 112 of the
Employment Standards Act R.S.B.C. 1996, C.113 (as amended)

PANEL: Shafik Bhalloo

FILE NO.: 2018A/114

DATE OF CORRIGENDUM: February 28, 2019

CORRIGENDUM

1. On January 30, 2019, I issued a decision (2019 BCEST 13) in the matter of an appeal by Octiscapes Landscaping Ltd. (“OLL”) of a Determination issued by a delegate of the Director of Employment Standards (the “Director”) on September 6, 2018 (the “Determination”).
2. In that decision, under the heading “**ORDER**”, I invited the Director and the respondent, Rhyan Houston (“Mr. Houston”), *inter alia*, to file submissions on the matter of the overtime wage calculations. I also stated that I continued to be seized of the appeal and following receipt and review of the submissions of the parties, if any, I would finalize the appeal.
3. On the same date, January 30, the Tribunal sent my decision to the parties and informed the Director and Mr. Houston, if they wished, they could file their submissions no later than 4:00 p.m. on February 13, 2019.
4. On February 12, 2019, by email to the Tribunal, a delegate of the Director requested a two-week extension of time to file submissions and informed the Tribunal that “the Director is currently engaged with the Employer in settling this matter”. The Tribunal acceded to the delegate’s request.
5. On February 13, 2019, the delegate informed the Tribunal by email that “this matter has now been dealt with and it is now settle.”
6. Subsequently, by email on February 26, 2019, Amie Poole, a director of OLL, informed the Tribunal that OLL is now withdrawing its appeal. Based on the abovementioned correspondence from the delegate and Ms. Poole, I find that this matter is now concluded and the appeal file closed.

Shafik Bhalloo
Member
Employment Standards Tribunal