

Citation: Murphy's APM Services Ltd. (Re)
2020 BCEST 69

An appeal

- by -

Murphy's APM Services Ltd.
(the "Company")

- 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: Allison Tremblay

FILE NO.: 2019/174

DATE OF DECISION: June 17, 2020

DECISION

SUBMISSIONS

Tami Wilson

delegate of the Director of Employment Standards

OVERVIEW

1. This matter first came to the Employment Standards Tribunal as an appeal under section 112 of the *Employment Standards Act* (the “*ESA*”) by Murphy’s APM Services Ltd. carrying on business as Dundarave Automotive (the “*Company*”) of an August 26, 2019 determination (the “*Determination*”) of the Director of Employment Standards (the “*Director*”).
2. In Tribunal Decision Number 2020 BCEST 23, I found that a delegate of the Director (the “*Delegate*”) had erred in calculating statutory holiday pay owed to four employees and referred the *Determination* back to the Director for recalculation in accordance with my order.
3. On March 18, 2020, the Delegate submitted to the Tribunal revised calculation sheets that corrected the error with respect to statutory holiday pay and recalculated the interest owing under section 88 of the *ESA*.
4. The Company and four employee respondents chose not to respond to the Delegate’s submission.

ORDER

5. Pursuant to section 115 of the *ESA* and further to Tribunal Decision Number 2020 BCEST 23, the *Determination* is varied to conform with the Delegate’s revised calculations for a total amount payable by the Company of \$37,919.94 plus any interest accruing under section 88 of the *ESA*.

Allison Tremblay
Member
Employment Standards Tribunal