

An appeal

- by -

Delta Sunshine Taxi (1972) Ltd.
("Delta" or the "Appellant")

- of a Determination issued by -

The Director of Employment Standards
(the "Director")

pursuant to Section 112 of the
Employment Standards Act R.S.B.C. 1996, C.113

ADJUDICATOR: Ib S. Petersen

FILE No.: 2002/543

DATE OF HEARING: January 16, 2003

DATE OF DECISION: January 21, 2003

in question, covering April 11-13, she explained that she filled in the timecard at the beginning of each shift. Mr. Tung stated that Ms. Willis had asked him if she could leave earlier on April 12 and come in later on April 13. Ms. Willis also testified that she intended to correct the entry for April 12 before handing it in to payroll, on April 20. I accept her evidence in that regard. I do not think she intended to misrepresent her hours worked. Based on her testimony, I accept her evidence was sincere and that it was a mistake. Given the fact that she had, in fact, asked Mr. Tung for time off on the day in question, it seems unlikely to me that she would be trying to “cheat” her Employer. I also accept that she apologized when confronted her with the allegation in a telephone conversation on April 17.

In short, the appeal is dismissed.

ORDER

Pursuant to Section 115 of the *Act*, I order that the Determination dated October 11, 2002, be confirmed.

Ib S. Petersen
Adjudicator
Employment Standards Tribunal