

**EMPLOYMENT STANDARDS TRIBUNAL**

In the matter of an appeal pursuant to Section 112 of the  
*Employment Standards Act* S.B.C. 1995, C. 38

- by -

Deanna Colleen Brownell  
("Brownell")

- of a Determination issued by -

The Director Of Employment Standards  
(the "Director")

**ADJUDICATOR:** Niki Buchan

**FILE NO.:** 96/595

**DATE OF HEARING:** JANUARY 13, 1997

**DATE OF DECISION:** JANUARY 17, 1997

**DECISION**

**APPEARANCES**

James C.M. Main, representative for Mahoe Properties Ltd.

Gerry Omstead, representative for “The Director”

**OVERVIEW**

This is an appeal by Brownell, pursuant to Section 112 of the *Employment Standards Act* (“the Act”), against a Determination of a delegate of the Director of Employment Standards (the “Director”), No. CDET 004129 issued on September 27, 1996. The Determination found that Mahoe Properties Ltd. has not contravened Section 54(2) of the *Employment Standards Act* (no termination of employment or change of employment because of Pregnancy, leave or jury duty). Brownell’s complaint alleges that she was terminated for reasons relating to her pregnancy.

**ISSUE TO BE DECIDED**

The issue is whether Mahoe Properties Ltd. terminated Brownell for reasons relating to her pregnancy.

**FACTS**

Brownell requested a hearing of the matter but did not show up on the hearing date. The adjudicator telephoned the Registrar’s office to ascertain whether there had been notice of her inability to attend on the date set or if there had been a withdrawal of the complaint. There had been no communication from Brownell. The adjudicator, the representative for Mahoe Properties Ltd. and the representative for the Director remained in the hearing room the required reasonable time prepared to proceed.

**DECISION**

Since Brownell did not appear to present her case the appeal is dismissed and the Determination confirmed.

**BC EST #DO30/97**

**BC EST #D030/97**

**ORDER**

In summary, I order under Section 115 of the *Act*, the Determination No. CEDT 004129 be confirmed.

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**Niki Buchan**  
**Adjudicator**  
**Employment Standards Tribunal**

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**Summary Search Information:**

Title: Deanna Colleen Brownell - And - Mahoe Properties Ltd

Subject: Section 54(2)

Author/Adjudicator: Niki Buchan

Keywords: Termination