

EMPLOYMENT STANDARDS TRIBUNAL

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

- by -

Donald Vance Hartford,
a Director of D.V.H. Contracting Ltd.
("Hartford")

- of a Determination issued by -

The Director of Employment Standards
(the "Director")

ADJUDICATOR: Ian Lawson

FILE No: 1999/635

DATE OF HEARING: January 12, 2000

DATE OF DECISION: January 21, 2000

DECISION

APPEARANCES:

| | |
|---|------------------|
| For the Appellant | Desiree Hartford |
| The Respondent | Gwen McKay |
| For the Director of Employment Standard | No Appearance |

OVERVIEW

This is an appeal by Donald Vance Hartford, a director of D.V.H. Contracting Ltd. ("Hartford") pursuant to s. 112 of the Employment Standards Act (the "Act"). The appeal is from a Determination issued by John Dafoe as a Delegate of the Director of Employment Standards on September 29, 1999. The Determination required Hartford to pay wages in the amount of \$1,711.99 to former employee of D.V.H Contracting Ltd. Named Gwen McKay ("McKay"). Hartford filed an appeal on October 21, 1999. An oral hearing was held at Steward, B.C. on January 12, 2000. At the appeal hearing, Hartford presented no evidence or argument to cast doubt on his personal liability for unpaid wages owing to employees of D.V.H. Contracting Ltd. For the reasons set out in my decision on Tribunal file no. 1999/693 issued today, Hartford's appeal is dismissed.

ORDER

After carefully considering the evidence and argument, I find that the Determination made by Mr. Dafoe is correct and the appeal should be dismissed. Pursuant to s. 115 of the *Act*, I order that the Determination dated September 29, 1999 be confirmed, together with interest pursuant to section 88 of the *Act*.

Ian Lawson
Adjudicator
Employment Standards Tribunal