

**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 -

Louis Creek Contracting Ltd  
("Louis Creek")

- of a Determination issued by -

The Director Of Employment Standards  
(the "Director")

**ADJUDICATOR:** David Stevenson

**FILE NO.:** 96/657

**DATE OF HEARING:** February 28, 1997

**DATE OF DECISION:** March 14, 1997

## DECISION

### APPEARANCES

Donald Lougheed for the Employer

Lyle Gosling for himself

Jennifer Hagen for the Director of Employment Standards

### OVERVIEW

Pursuant to Section 112 of the *Employment Standards Act* (the “Act”) Louis Creek Contracting Ltd. (“Louis Creek”) has appealed a Determination of a delegate of the Director of Employment Standards (the “Director”), No. CDET 004423 dated October 24, 1996. In that Determination the director found Louis Creek to have contravened Section 40, subsections (1) and (2) in respect of the employment of Lyle Gosling (“Gosling”) and was ordered to pay \$7,014.05.

Just prior to the commencement of the hearing, the delegate of the Director met with the parties to explore once more the possibility of a settlement of the complaint. The parties were able to reach a settlement. The hearing was convened and the terms of the settlement were conveyed to me. The settlement is consistent with the the purposes of the *Act*.

### ORDER

Pursuant to Section 115 of the *Act* I order the Determination, No. CDET 004423 dated October 24, 1996 varied to show the total amount payable as \$2000.00.

**David Stevenson**  
**Adjudicator**  
**Employment Standards Tribunal**